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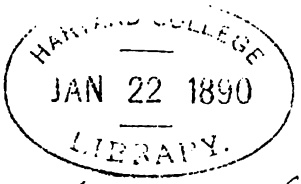

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DOCUMENTS

RELATING TO THE

PRIORY OF PENWORTHAM,

AND

OTHER POSSESSIONS IN LANCASHIRE

OF THE

Abbey of Evesham.

EDITED BY

W. A. HULTON, ESQ.

Manchester.

PRINTED FOR THE CHETHAM SOCIETY.
M.DCCC.LIII.

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INTRODUCTION.

THE documents now presented to the CHETHAM SOCIETY relate to the possessions which the Abbey of Evesham held in Lancashire, and principally, of course, to the Priory of Penwortham. They have been drawn from various sources. The muniment chests at Penwortham and Werden have been with great liberality placed at the command of the Editor for the purposes of the Society. The Tower Rolls have been searched, and have furnished some documents, while others have been extracted from the great book of the Abbey now in the British Museum (Harl. MS. 3763.)

The latter work most probably passed at the dissolution of the Monastery into the family of the Fleetwoods, the grantees of the Priory of Penwortham, and remained amongst the muniments of that family until the early part of the last century, when it became the property of Lord Harley. This appears to have been the case from a memo-

randum in the initial leaf of the book, in the following terms:

> Memorandum: When Henry Fleetwood of Penwortham Esquire disposed of this book to my noble Lord Harley, he reserved to himself and his family a right of borrowing the same out of the Library whensoever upon occasion of contests with the bishops of Chester it shall be necessary to produce it at trials in public. And accordingly my Lord was pleased to lend it to Mr. Fleetwood for that purpose the last Somer. In token of this covenant which was made with my privity, and for the certain information of posterity, I do hereby put my name the second day of March 17$\frac{11}{12}$.
>
> Humfrey Wanley.

But before discussing the grant under which the Priory of Penwortham was founded, it may not be altogether unprofitable to glance at the few remaining records which in any degree affect the previous history of the district in which the possessions assigned for that purpose are situated.

Of course, a search for written records previous to the Roman era would be fruitless. Beyond the mere fact that the district now so well known as Lancashire was then peopled by the Setantii, a tribe of the great Western Brigantes, written history is silent. But the traces of the aboriginal inhabitants may be sought for in their singularly expressive local designations. Nor are these wanting in this district. For instance, three important rivers, flowing from east to west, intersect it and empty themselves into the Irish Sea. At the precise point on each of these rivers where the first available ford is found, a local name is discovered, into the composition of which the term *werid* enters. Two of

these places still retain the word, with a Saxon suffix denoting the progress of civilization. And the Britannico-Saxon names of Werid-ton and Pen-werid-ham have come down to our days slightly changed into Warrington and Penwortham. While Caer-werid,[1] or the camp of the ford, on the Lune, suffered but a slight change in the hands of its Norman possessors when it was translated into the camp of the Lune, and became Lancaster.

But the written evidences of the Roman occupation are clear and distinct, and the pages of Tacitus record not merely the time occupied, but the means used, in reducing the Western tribes of Britain into permanent subjugation to the power of Rome. It is stated that at the end of the year 78, Agricola having subdued the tribes in North Wales as far as the river Dee, penetrated along the western coast into Scotland. The words of Tacitus are remarkable:

In[2] the early part of the summer [A.D. 79] Agricola assembled his army and was present with them; he praised the forward, stirred up the slothful, and marked out the stations himself. He

(1) The name Caer-weridd is found in Camden, who says, speaking of Lancaster: Hoc enim oppidum Britanni Caer Weridd i.e. urbem viridem dixerunt, a viridante forsitan illo colle, sed huc viderint alii. The doubt here alluded to refers most probably to the translation of the term werid. More reasonably it may be taken to refer to the ancient British and modern Welsh term Rhyd, a ford; or to another British word, Wera. The latter word is thus defined by Spelman: Locus in fluviis qui porrectis ab utroque margine faucibus hiatum adeo angustum exhibet ut distento rete facile occludatur capiendum piscium gratia. In this view the term Wery wall, which "cummith almost to Lune Bridge," has a peculiar signification.

(2) Sed ubi æstas advenit, contracto exercitu, multus in agmine, laudare modestiam, disjectos coercere, loca castris ipse capere, æstuaria ac silvas

explored *the estuaries* and woods, and kept the enemy in continual alarm by sudden incursions; and when he had completely alarmed them, he stayed his operations to show them again the blessings of peace. By these means many cities, which till then had been free, submitted and gave hostages, and were surrounded by posts and fortified places, which were selected with so much skill and judgment that no newly explored part of Britain was ever before so peaceable.

The following winter was spent in the execution of the wisest designs. For, to pacify men, wild, savage, and rejoicing in warfare, and to incline them by idleness to pleasure, he exhorted them privately and assisted them publicly to erect temples, courts of justice, and habitations. And then by praising the forward and chastising the slothful he diffused a spirit of emulation which operated like a sense of duty. He instructed the sons of their chiefs in the liberal arts; and professed to prefer the genius of the Britons to the attainments of the Gauls. Thus those who lately disdained the Roman language began to cultivate its beauties. Our dress became the fashion, and the toga was frequently seen. And by degrees they yielded to the charms of vice, the porch, the baths, and elegant

ipse prætentare: et nihil interim apud hostes quietum pati, quo minus subitis excursibus popularetur: atque, ubi satis terruerat, parcendo rursus inritamenta pacis consistere. Quibus rebus multæ civitates, quæ in illum diem ex æquo egerant, datis obsidibus, iram posuere, et presidiis castellisque circumdatæ, tanta ratione curaque, ut nulla ante Britanniæ nova pars inlacessita transierit.

Sequens hiems saluberrimus consiliis absumpta, namque ut homines dispersi ac rudes, eoque bello faciles, quieti et otio per voluptates adsuescerent; hortari privatim, adjuvare publice, ut templa, fora, domus extruerent, laudando promptos, et castigando segnes: ita honoris æmulatio pro necessitate erat. Jam vero principum filios liberalibus artibus erudire et ingenia Britannorum studiis Gallorum anteferre, ut, qui modo linguam Romanam abnuebant, eloquentiam concupiscerent: inde etiam habitus nostri honor, et frequens toga, paullatimque discessum ad delinimenta vitiorum, porticus, et

banquets; and that was called humanity by the simple-minded natives which in truth was but a link in the chain of slavery. In the fourth year he penetrated to the firth of Tay, &c.

A glance at the map of the north western counties, and of Lancashire in particular, is sufficient to point out the estuaries alluded to and the route taken. There is a reasonable certainty that all the fords already alluded to were resorted to by the Roman general. The remains discovered at Lancaster and Warrington clearly denote the presence of the troops at those stations. And if a search were made at Penwortham, it is more than probable that it would be successful. For the military advantages attending the occupation of the singular hill which overhangs and commands the ford of the Ribble are too apparent to suppose that the Saxons were the first to appreciate them. And it is consistent with other instances to suppose that the Saxon castle which occupied in after ages that commanding position was only the appropriation of a Roman idea.

But it is remarkable how the known historical roads which traversed Lancashire from east to west and from north to south, appear to avoid the south-western division of the county. The reason, however, is obvious. Coccium,(1) or

balnea, et conviviorum elegantiam: idque apud imperitos humanitas vocabatur, cum pars servitutis esset. Tertius expeditionum annus novas gentes aperuit, vastatis usque ad Taum, &c.—*Tacitus de vita Agricolæ.*

(1) We are indebted to the labours of Antoninus and Richard of Cirencester for our knowledge of the Roman roads in this county. The authority of the two must be differently estimated. The itinera of Richard are evidently the work of a mere compiler. His assertions must be received with caution. But they are not to be disregarded. And sometimes they are independent, and he treats of roads of which there are no other accounts of

Ribchester, was the important point to which those roads converged; and while the legions passing northwards marched direct from Mancunium to Coccium, and from thence to Brematonacis (Overborough); the supplies from the sea were landed at the haven of the Setantii,(1) and were

equal antiquity. The itinera of Antonine are not open to the same objections. It will be instructive to place the two which mention Coccium in close connection.

Iter Antonini		Iter x. Ric. Cirenc.	
a Clanoventa (*Cockermouth*)			
Mediolano (*Whitchurch*)	m.p. cl. sic.		
Galava (Keswick) . . .	m.p. xviii.	Brocavensis (Brougham)	
Alone (Ambleside) . .	m.p. xii.	Ad Alaunam	
Galacum (Kendal) . . .	m.p. xviiii.		
Brematonaci (Overborough)	m.p. xxvii.		
Coccio (Ribchester) . .	m.p. xx.	Coccio	m.p. xxxvi.
Mancunio (Manchester) .	m.p. xvii.	Mancunio	m.p. xviii.
Condate (Middlewich) .	m.p. xviii.	Condate	m.p. xxiii.
Mediolano	m.p. xviii.	Mediolano	m.p. xviii.

(1) It is clear that this port must have been to the north of the Ribble, and from the traces of roads recently discovered in the Fylde, the great probability is that it was in the neighbourhood of Poulton. The place is mentioned by Ptolemy, who wrote A.D. 42, in his description of the western coast of Britain.

Ιτουνα εισχυσις (the Solway estuary)	18	20	58	45
Μορικαμβη εισχυσις (Morecambe estuary)	17	30	58	20
Σεταντιων λιμην (the haven of the Setantii)	17	20	57	45
Βελισαμα εισχυσις (the Ribble estuary)	17	30	57	20
Σεσεια εισχυσις (the Dee estuary)	17		57	

The haven of the Setantii is also mentioned by Richard of Cirencester in his iter. A portu Sistuntiorum Eboracum usque:

Rerigonio	m.p. xxiij.
Ad Alpes Penninos	viij.
Alicuna	x.
Isurio	xviij.
Eboraco	xvj.

conveyed by a road skirting the right bank of the Ribble to Coccium, where they fell into the great south eastern road to Mancunium.

Still, in whatever direction the main roads may have pointed, it must have been that a direct communication existed between Warrington and the northern districts. Traces of roads apparently Roman, and running directly north from Warrington, have been followed beyond Wigan. Another road leading west from Mancunium through Blackrod is so clearly defined that it has induced some antiquaries to assign Coccium to the latter place. And it may not be too bold a conjecture to suppose that both those roads formed a junction, and proceeded northwards across the ford at Penwortham, and then crossing the road from the haven of the Setantii to Coccium, went direct across the ford at Lancaster to the north.

The records of the history of this district become more scanty in the comparatively modern ages of the Saxon struggles and government. The scene of four of Arthur's victories over the Saxons is assigned to the Douglas;(1)

Rerigonium has, indeed, been considered by many to be Ribchester, but the difficulty is great in assigning two distinct names in the same author to one place. But Rigodunum, which is named by Ptolemy as one of the cities of the Brigantes, may with some degree of probability be applied to Ribchester. The total distance mentioned in this iter between York and the port of the Setantii nearly agrees with modern measurements.

(1) In illo tempore Saxones invalescebant et crescebant non modice in Britannia. Artur pugnabat contra illos in illis diebus, et in omnibus bellis victor erat. Primum bellum fuit in ostium fluminis quod dicitur Glem. Secundum, et tertium, et quartum, et quintum super aliud flumen quod vocatur Duglas, quod est in regione Linuis. — Nennius, cap. lxiv.

and the remains of a violent struggle would seem to verify the ancient tradition, that the victories were gained on the Lancashire Douglas above and about the town of Wigan. And there are three scattered but interesting notices, which may be assigned with certainty to Lancashire, to be found in "la vereie geste" the Saxon Chronicle.

Thus, under the date A.D. 642, it is stated: This year Oswald, king of the Northumbrians, was slain by Penda and the Southumbrians at Maserfeld (1) on the Nones of August,

(1) An. DCXLII. Þep Oppalð Nopðan-hymbpa cyning opplægen pæp ppam Penðan Suð-hýmbpum on Maɼep-ɼelð. on pam ðæge Non. Aug. anð hiɼ lic pæp bebýpgeb on Beapðan-ege. Ðæp halinep anð punbop pæpon ɼyþþan manigfealde gecýðde geonð hiɼ eglanð. anð hiɼ handa ɼinðon on Bebban-buph unigcbpopnobe. — *The Anglo-Saxon Chron.*

This is repeated by Florence of Worcester, Henry of Huntingdon, and the Venerable Bede, and all agree that the Northumbrian king fell at Maserfeld. But the place has been strongly contested, and Mirfield in Yorkshire by Dr. Ingram, and, strange to say, Oswestry in Shropshire by the historian of the Anglo-Saxons, have been assigned as the site of the defeat. But the weight of evidence is strongly in favour of Winwick. Not only does "an ancient inscription" on the church claim the church yard as the scene of the martyrdom, but an endowed church dedicated to St. Oswald existed there at Domesday; and, on the foundation of the Nostell priory, temp. Rufus, Stephen earl of Morton granted "ecclesiam sancti Oswaldi de Macrefeld" to the priory. (3 *Dug. Mon.* 92.) The connection between that priory and Winwick, and the reason for the grant, may possibly be that contained in the curious account given by Geoffroi Gaimar in his poem called Estorie des Anglais:

En icel tems, e en cels dis
Donc fu li rais Osewald oscis
Icist retint Norhumberland;
Mult fu seainz home seive et vaillant,
En Mescerfeld fu oscis;
Le lieu serra chers tut dis.

and his body was buried at Bardney. His sanctity and his miracles were afterwards manifested in various ways beyond his island, and his hands are at Bamborough incorrupted.

Anno 798.(1) This year there was a great fight at Hwelleage (Whalley) in the land of the Northumbrians, during Lent, on the fourth of the Nones of April, and there Alric, the son of Heardbearht, was slain, and many others with him.

Anno 923. In this year, after harvest, King Edward

Kar clarte e grant feu celestre,
Sovent i virent clerc e prestre;
Meis son seint cors fu iloc pris,
Si fu porte loinz el pais.
Par piete et par manaie,
En fu porte a Bardeneie:
Iloc le voldrent sepelir,
Le lieu amer le cors servir
E es cronices est escriz
K'il fu iloc insepeliz:
A Nostle dient asquanz,
La l'importerent ses amanz:
E a Colesdeburch el Suth,
La est son braz, pur ki Deu fait vertu.

Nor must the name given in the Welsh Chronicles, Cocbui, to the place where Oswald fell be overlooked. Goch is ancient British and modern Welsh for red; and the term is significant. The district near Winwick is on the red sandstone, and a place not far from Winwick Church is still known as Red Bank.

(1) An. DCCXCVIII. Þep pæp micel ȝepeohc on Nopð-hýmbpa lanðe. on Lænctene. on. IV. Non. Apprilip æc Þpælleaȝe anð pæp man ploh Alpic Þeapðbeaphcep punu anð oðpe mænȝe mið him.

An. DCCCCXXIII. Þep on pyrum ȝeape pop Eaðpapð cýninȝ mið pleþðe on upan hæpfeſc to Ðalpæle anð hec ȝepyncan wa bupȝ anð ȝeſettan anð ȝemannian anðhec oðpe pleþð eac op Miercna peoðe pa hpile pe he pæp pæc ȝepapan Mame-ceaſtep on Nopð-hýmbpum anð hie ȝebetan anð ȝemannian.

went with his forces to Thelwall, and commanded the Burh to be built and occupied and manned, and commanded another force also of Mercians, whilst he sat there, to take possession of Mameceaster in Northumbria, and repair and man it.

So scanty indeed are the accounts relating to South Lancashire in the Anglo-Saxon histories, that even at the present day the question whether the Mersey or the Ribble formed the northern boundary of the kingdom of Mercia may be considered as undecided. That the district to the south of the Ribble was included in the Mercian diocese of Lichfield is beyond dispute. The churches and parishes of Whalley, of Blackburn, and of Penwortham, which take in the whole south bank of that river from Yorkshire to near the sea, owed allegiance to Lichfield. And it is strongly affirmed by the historian of Whalley that "it is very certain that that diocese, founded as it were by the early Mercian kings, never passed the limit of their territories." And he concludes: "On the whole I am persuaded that the outline of the parish of Whalley, as far as it extends along the Ribble and afterwards as far as it coincides with the limits of the West Riding of Yorkshire, is the ancient line of separation between these two great kingdoms of the Heptarchy."

But on the other hand, wherever any part of South Lancashire is mentioned in the Saxon Chronicle, it is stated to be in Northumbria. And its subjection to the See of Lichfield may be accounted for on other grounds than that it formed part of the kingdom of Mercia. The conversion of

the Mercians to Christianity and the formation of the See of Lichfield were effected soon after the martyrdom of St. Oswald. Peada, the eldest son of the pagan Penda, had married the daughter of Oswy, the brother of St. Oswald, and the Christian king of the Northumbrians, and had been converted to Christianity and baptised during his father's life. Penda was defeated and slain by Oswy A.D. 655; the Mercians publicly professed Christianity; and the See was formed the next year. Fourteen years only had then elapsed since the death of Oswald, and it is possible that the effects of the victory at Winwick had not ceased, and that the whole district to the south of the Ribble was so far under the sway of the Mercians that it was included, though in Northumbria, in the early formed diocese. This view is not inconsistent with the account given by Florence of Worcester, who says that on the death of Penda the pagan king of Mercia, and when the Christian king Oswy took his kingdom, and converted, A.D. 656, the Mercians and the adjoining provinces to Christianity, Diuma was made the first bishop of the Mercians, the Mid Angles, of Lindsey, and of the adjoining provinces.(1)

The silence of history, strange as it may appear, can perhaps be partly accounted for. In those early days the monasteries were not merely "the refuge of want and weakness, the nursery of art, the depository of learning, and the

(1) Interfecto rege pagano Merciorum Penda, cum Oswiu rex Christianus regnum ejus accepit, et gentem Mercianorum finitamarumque provinciarum anno Dominico incarnationis D.C.LVI. ad fidem Christi convertit, factus est Diuma primus episcopus Merciorum, Mediterraneorum Anglorum, Lindisfarnorum, contiguarumque provinciarum.

sanctuary of religion;" their inmates were the only historians. The monks would naturally chronicle the events which happened in their immediate vicinity. The more distant events would be disregarded or unknown. These chronicles would circulate among the religious houses and become histories. Hence that silence which rested on the north-western districts of England. Not a monastery existed in the wide space now so well known as Lancashire. And indeed the weary traveller who had often to depend on monastic hospitality for food and shelter, might journey from Chester to Carlisle without hearing the welcome tinkle of the convent bell to guide him through the forest to a shelter for the night.

But even this will not account altogether for so great a dearth of notice. On the banks of the Ribble, and directly in that track which all travelling along the coast would use, a town had arisen, evidently more populous and of greater weight than any on the western coast from Wales to Scotland. Under the guardianship of a castle, the only one recorded in *Domesday* in the three modern north-western counties, a royal borough had sprung up. "King Edward," says *Domesday*, "held Peneverdant, where there were two carucates of land which rendered tenpence. There is now a castle here, and there are two carucates in the demesne, six burgesses, three radmen, eight villeins, and four neat herds; between all they have four carucates; there is half a fishery, a wood, and aeries of hawks. As in the time of King Edward, it is valued at three pounds."(1)

(1) Rex. Edw. tenuit Peneverdant. Ibi ij. caruc. terre, et reddebant x.

But before the great survey was taken, Penwortham with the rest of the immense district between the Ribble and the Mersey, which had been apparently a royal possession, had been seized by the Conqueror and granted by him to Roger of Poictou, the second son of Roger, Earl of Montgomery. The survey of the lands "inter Ripam et Mersam," and which are included under the head of Cestreschire, begins with the statement, "terram infra scriptam tenuit Rogerus Pictavensis." The Conqueror's liberality had been imitated, and Roger, retaining in his hand a little more than a moiety of the district, parcelled the remainder amongst his own immediate followers. His demesnes were subsequently forfeited by his treason, but it does not appear that that consequence had attached on his subinfeudations. The same survey concludes in these terms: "In these(1) six hundreds, Derby, Newton, Warrington, Blackburn, Salford, and Leyland, there are one hundred four score and eight manors, in which there are four score hides save one to be taxed. In King Edward's time they were valued at £145. 2s. 2d.

den. Modo est ibi castellū et ij. caruc. sunt in dominio, et vi. burgenses, et iij. radmans, et viij. villani, et iiij. bovarij. Inter omnes habent iiij. caruc. Ibi dimid. piscaria, silua, et airæ accipitrum. Sicut tempore Regis Edwardi valet iij. libr.

(1) In his vj. hundr. Derbie, Neutone, Walintune, Blacheburne, Salford, et Lailand sunt clxviij Manerij. In quibus sunt. lxxx. hide geldabiles una minus. In tempore Regis Edwardi valebant cxlv. lib. et ij. solid. et. ij. denar. Quando Rogerus Pictavensis de rege recepit valebant cxx. libr. Modo tenet Rex et habet in dominio xij. caruc. et ix. milites feodum tenentes. Inter eos et eorum homines sunt cxv. car. et iij. boues. Dominium quod tenuit Rogerius appreciatur xxiij. libr. et. x. solid. Quod dedit militibus xx. libr. et xi. solid. appreciatur.

When Roger Pictavensis received them from the king, they were valued at £120. The king now holds them, and has in his demesne twelve carucates and nine knights' holding fees. Between them and their vassals there are one hundred and fifteen carucates and three oxgangs. The demesne which Roger held is valued at £23. 10s. and that which he gave to his knights at £20. 11s."

It is much to be regretted that the whole of the district was not surveyed with the same minute accuracy as was the hundred of West Derby. There the vills and manors are distinctly enumerated, and the names of many of them are continued with slight alterations to the present day. Of most of them the ancient Saxon possessors are named, and the tenures and customs alluded to. While in the other hundreds, with very few exceptions, the survey neither mentions the vills nor their possessors. This is particularly the case in Leyland hundred. Penwortham, from its superior dignity, is, as already mentioned, distinctly alluded to. The rest of the hundred and its possessors is briefly summed up in these concise words. "King Edward(1) held Lailand, where there were one hide and two carucates of land, a wood two miles long and one broad, and an aery of hawks. To this manor

(1) IN LAILAND HVND. Rex Edwardus tenuit Lailand. Ibi i. hida et ij. caruc. terre. Sylua ii leu. long. et una lat. et aira accipitrum. Ad hoc maner. pertinebant xii. caruc. terre quas tenebant xij. homines liberi pro totidem manerijs. In his vi. hidæ et viii. caruc. terre. Silva ibi vj. leu. long. et iij. leu. et una quarent. lat. De hac terra hujus maner. tenet Girardus hid. et dimid. Robtus iij. caruc. terre. Radulphus ij. caruc. terre. Rogerus ij. caruc. terre. Walterus i caruc. terre. Ibi sunt iiij radmans, presbyter et xiiij villani et vj bordarij, et ij bovarij.

belonged twelve (probably a mistake for forty-two) carucates of land, which twelve freemen held as twelve manors; in these are six hides and eight carucates; there are woods six miles long and three and a quaranten broad. Of the lands in this manor Giraldus holds one hide and a half, Robertus three carucates, Randolphus two carucates, Walterus one carucate.

This want of information renders it impossible to state with certainty the connection between the Bussels of Penwortham and Roger de Poictou. Most probably Warin Bussel, the first of that name on record as owner of Penwortham, was a near connection, perhaps a son, of Roger Bussell, the joint grantee from Roger de Poictou of Blackburn hundred, and like him shared in his leader's generosity. It is clear from the documents hereafter set forth that he was about the time of the Survey the owner of Penwortham. From the *Testa de Nevill* it also appears that he was in possession of the principal part of Leyland hundred, and that he granted not merely the greater part of that hundred, but other lands, to hold of Penwortham. By these subinfeudations the extensive honor of Penwortham was created.(1)

A ray of light is, however, thrown upon the connection between this powerful family and the remote monastery of Evesham. As in many other cases of a similar nature, it may be attributed to feminine influence. Warin Bussel espoused a lady who had territorial possessions in Evesham itself. His son Albert confirmed a grant (*p.* 6 *infra*) of two oxgangs of land in Evesham which Matilda his mother had

(1) See the note p. 37 infra.

given to that monastery. An interest in Lancashire once gained, the possessions of Evesham were extended, and, probably after his restoration by Rufus, Roger de Poictou granted the neighbouring township of Howick to the monastery.

It will be convenient to pause at this point to state as much as has been discovered of the family of the Bussels. Powerful at its outset, as well from the extent of its possessions as the number and weight of its alliances, it sank under the great Lacy family. And though the name existed, the influence of the family hardly survived the fourth generation. But its direct lineal descendants still exist at Werden, the owners and occupiers of the same lands which were once owned by the Bussels.

I. Warin Bussel, who was living at the latter end of the Conqueror's reign, or the beginning of Rufus, confirmed a previous grant to the monastery of Evesham of the church of Penwortham with its tithes and appurtenances, the churches of Leyland and North Meols with their appurtenances. He granted also the township of Farington, a carucate and a half of land in Marton and half the turbary there, two bovates of land in Longton, and two parts of the tithes of the demesne in Leyland, Freckleton, and Warton. He married Matilda, who had possessions in Evesham (*see p.* 5), and had issue:

1. Richard, of whom hereafter.
2. Albert, of whom hereafter.
3. Geoffrey, a consenting party to the grant of the church of

Leyland by his brother Richard (*see p.* 40). He had three sons:

Robert, of whom hereafter.

Henry, named as a witness to the deed No. X.

Thomas, also named.

4. Warin (*see p.* 5).
5. A daughter married Ranulph Fitz Roger, who had five carucates from Warin Bussel in marriage; and at the time of the *Testa de Neville* the heir of Ranulph was in ward to Eustace de Moreton.
6. Another daughter married Gillemichel ffitz-Edward, and had four carucates of land, of which his heir held three, and was in ward to the Archdeacon of Stafford and William de Harewood.—*Testa de Neville.*
7. A daughter (possibly Sibil) married Hamo Pincerna and had two carucates of land in Hocton and Echilston. The present possessors of Hoghton Tower descend lineally from this marriage.
8. Another daughter married Alan, the son of Swein, and had four carucates and a half of land in Gunolvesmore by grant from her brother Richard.
9. Another daughter married Robert Hikeling, and had a carucate of land from her brother Richard.
10. Another daughter married Richard Spileman, and had Standish and Langtree from her brother Richard.

II. Richard Bussel, the son of Warin, succeeded. He confirmed the grant of his father, and granted a court in Penwortham, four bovates in Longton, one in Penwortham, the church at Leyland, and, what must then have been of peculiar significance, the fourth part of his fishery in the

Ribble. He died without issue and was succeeded by his brother,

III. Albertus Bussel, who confirmed the grants of his father and brother, and added two bovates in Longton. He also confirmed the grants to the monastery of Evesham by his mother Matilda of two bovates of land in Evesham, and by his wife Leticia of certain bovates from her demesne land at Leyland. He had issue:

Hugo, of whom hereafter.
Henry, who attested his brother's deed (*p.* 7).

IV. Hugo Bussel confirmed the grants of his grandfather, uncle, and father (*p.* 6), and added the tithe of the pannage in Penwortham. He had been involved in litigation with his uncle Geoffrey Bussel, but received a confirmation from King John.(1) On nonpayment of a fine,(2) the barony of

(1) Carta Hug. Bussell de judicio suo confirmando. Rot. Cart. in Turr. Lond. a° 1 Joh. m. 3.

Johannes Dei gratia &c. Sciatis nos concessisse et presenti carta nostra confirmasse Hugoni Bussell totam Penwerham cum omnibus pertinentijs suis quam dirationavit in curia nostra dum Comes Moreton essemus ut jus suum et hereditatem contra Gaufridum Bussell. Tenendam et habendam sibi et heredibus suis de nobis et heredibus nostris per servitium trium militum pro omni servitio. Quare volumus et firmiter precipimus quod idem Hugo et heredes sui post ipsum predictam terram cum pertinentijs habeant et teneant de nobis et heredibus nostris per predictum servitium bene et in pace, libere et quiete, integre, plenarie et honorifice in ecclesijs et capellis, in bosco et plano, in vijs et semitis, in pratis et pasturis, in moris et mariscis, in aquis et molendinis, in stagnis et vivarijs et piscarijs in omnibus locis et rebus cum sok et sak, tol et theam et infengenthef et utfengenthef cum omnibus alijs libertatibus et liberis consuetudinibus ad predictam terram pertinentibus.

Penwortham was soon afterwards seized by the King and delivered to Roger de Lacy, to whom Hugo Bussel afterwards released the barony on payment of the same fine. Hugo Bussel married Antigonia, but apparently died without issue, and was succeeded by his kinsman, the son of his uncle, Geoffrey.

Testibus G. Eboracensi archiepiscopo, H. Sarum et R. Sancti Andree episcopis &c. Data per manum S. Wellensis archidiaconi et J. de Grai apud Cenone x. die Octobris anno regni nostri primo.

(2) In the close roll 7 John m. 6, 29 Dec. 1205, there is the following entry which refers to this transaction:

Rex Baron. &c. Cōput. R. const. Cestr. id qd Hug. Bussell et R. Bussc.. reddid'unt ad scacc. de fine quē nobiscu. fec'unt pro t'ra sua de Penewrth. cu. p'tin. Quia lib'avimus eidē Const. eandem t'ram. Ita qd nob. respondeat de fine illo et de areragio ad terminos quos pdti H. et Rob. inde de nobis h'ent. T. meipo apud M'leb. xxix. die Decembr.

This was followed by the release to Roger de Lacy from Hugo Bussel, which is copied into the great Coucher Book of the Duchy of Lancaster, vol. i. fol. 73, No. 55:

Sciant tam presentes quam futuri quod ego Hugo Bussell et heredes mei quietam clamavimus Rogero de Lacy constabulario Cestrie et heredibus suis Baroniam de Penwortham cum omnibus pertinentijs suis tam in militibus et liberis hominibus quam in omnibus ad predictam baroniam pertinentibus in comitatu et extra comitatum et in omnibus locis. Et pro hac quietaclamatione predictus Rogerus de Lacy adquietavit me erga dominum Regem de ccc. marcis et decem marcis. Et ego Hugo et heredes mei nullam de cetero pcterimus movere questionem super predicta baronia adversus predictum Rogerum de Lascy vel heredes suos. Et ut hec quictaclamacio rata et inconcussa perseveret ego et heredes mei eam tenendam affirmavimus et juramento confirmavimus et sigilli nostri appositione roboravimus. Hijs testibus, Simone de Pateshull, Gilberto filio Reinfredi tunc vicecomite Lancastrie, Rogero de Monte Begonis, Willmo Butilario, Henrico de Redeman, Hugone Dispensatore, Thom. fratre ejus, Colino de Quatremare, Ad. Dutton, Galfrido Dutton, Willmo de Bello Monte, Willmo de Lungvilers, Gerardo de cleitone, Ricardo Phitun, Turstano Banastre, Ada de Hocton, et multis alijs.

V. Robert Bussell, who also, in consideration of the payment of the fine of 310 marks, released to Roger de Lacy,(1) and received from him two bovates and two carucates of land in Longton and in Leyland. He still, however, retained some interest in Penwortham, notwithstanding his cession to Roger de Lascy,(2) for he subsequently conferred on the monastery of Evesham a rent of twelve pence out of his fishery

(1) Extract from the great Coucher Book of the Duchy of Lancaster, vol. i. p. 79, No. 78:

Omnibus ad quos presens carta pervenerit Robertus Buissel salutem. Noveritis me in ligia potestate mea et propria voluntate mea dedisse et concessisse et quietum clamasse de me et heredibus meis imperpetuum Rogero de Lascy constabulario Cestrie totam terram meam de Penwertham cum omnibus pertinentijs suis tam in dominicis quam servitiis sine ullo retenemento cum toto jure meo quod in ea habeo vel habere debeo tam infra Comitatum Lancastrie quam extra. Tenend. et habend. in capite de domino rege Anglie et heredibus suis illi et heredibus suis. Ita quod ego Robertus et heredes mei imposterum aliquod clameum vel jus non possumus habere vel debemus in predicta terra cum pertinentijs. Et pro hac donatione et concessione et quieta clamantia predictus Rogerus me adquietavit versus dominum meum Johannem Regem Anglie de trecentis et decem marcis argenti. Quare volo quod predictus Rogerus et heredes sui habeant et teneant totam predictam terram cum omnibus pertinentijs suis sine ullo retenemento de domino Johanne rege Anglie et heredibus suis in capite quietam de me et heredibur meis imperpetuum. Hijs testibus, R. comite Cestrie Eustachio de Vescy, Petro de Brus, Gilb. Rienfridi, Roberto Watu, Henrico de Redens, Willmo filio Swein, Willmo de Wineguike, Turstano Banastre, Ada Banastre, Jordano de Sancta Maria, Thoma Dispensatore, Ada de Dutton, Galfrido de Dutton, Willmo de Bello monte, Baldwyno de ffossa, Lawrencio de Wilt. clerico.

(2) Rogerus de Lascy dedit Roberto Bussell ij. bovat. et ij. caruc. terre in Longeton et in Leyland, et servic. ij. caruc. in Eukeston faciendo servic. decime partis unius militis. — *Testa de Neville.* That these lands afterwards descended to the Faringtons of Werden is clear, for in the *Tenent. duc. Lanc.* taken anno 1311, the statement of this grant is thus alluded to: Rogerus Lacy dedit Roberto Bushell ij. bovat. terre in Longton in Leylond

in the Ribble at Penwortham (*p.* 9). He also granted to the priory of Penwortham a small plot of land in Longton to build a grange. He had issue:

1. Galfridus, the grantor of No. XII. (*p.* 11.)
2. Warin.(1)
3. William.(1)
4. Avicia married John del Meles (*p.* 17).
5. Margaret(1) married Hen. fil. Huctredi de Whalley.

At first sight there is something extraordinary in the grants above alluded to. Donations of churches with tithes are made directly after the survey of *Domesday* was taken. And yet that survey is entirely silent as to their existence.

et servic. ij. caruc. terre in Ewkeston fac' decime partis unius feodi militis. Henricus dux Lanc. Willus ffarington et Wills de Holand de dicto duce decem partes unius feodi militis in Leylonde et Ewkeston qu. Robertus Bushell quondam tenuit de feodo.

(1) Sciant quod ego Robertus Bussel dominus de Leilond dedi &c. Willmo filio meo omnimoda asiamenta duobus acris in villa de Leylond quas idem Willmus habuit ex dono Warini fratris sui videlicet communam pasture omnibus vastis ville de Leylond pertinentibus omnimodis animalibus cuiuscunque generis fuerint et boscum sine deliberacione ad edificand. et comburend. pro voluntate sua &c. Hijs testibus, John de Claiton, Thom de Chernok, John de ffarinton et alijs anno regis Henrici quarto decimo.—*Werden Deeds.*

Sciant quod ego Rob. Bussel dedi &c. Henrico de Qualley filio Huctredi viginti acras terre in villa de Leylond per metas. Ita videlicet quod si ego Rob. viginti acras terre infra predictas divisas perimplere non potero ego vel heredes mei dicto Henrico et heredibus suis de Margaria filia mea provenientibus in alio ydoneo loco plenari perimplebo de wasto meo de Leylond tenend sibi et heredibus suis de prefata filia mea provenientibus &c. Hijs testibus, Joh. de Mara, Symone de Heris tunc temporis senesc. War. de Waleton, Ric. Banastre, Ada de Hocton, Ric. de Preston clerico, et multis alijs.—*Werden Deeds.*

Similar omissions have given rise to doubts, whether the institution of our parochial economy had been carried out to its full extent previous to the Conquest, and whether we are not indebted to the Normans for its full perfection. Such doubts are unfounded.

That the Normans were a nation of architects is certain; and that they, in many localities, replaced the coarse and miserable structures, in which the Saxons had been satisfied to worship, with more elegant and enduring edifices, is beyond doubt. Of this our own county furnishes a direct example. Reginald of Durham relates(1) that the grandfather of Richard ffitz-Roger had pulled down the ancient church at Lytham, which had been constructed of shingles, and had built another of stone and dedicated it to St. Cuthbert. But there is nothing in *Domesday* to justify the

(1) Est villa quæ Litthum dicitur quæ in regione quæ Amundernesse dicitur sita dinoscitur. Hujus dominus quidam Miles extitit qui Ricardus filius Rogeri cognominatus quandam ecclesiam in honorem beati Cuthberti ab atavis progenitoribus in eodem territorio fundatam habuit . . . . . Erat eidem Militi quidam Armiger satis officialis et strenuus in officina, urbanæ disciplinæ; a primæva ætate eruditus, nomine ——. Hic die quadam spaciandi gratia ad cymiterium predicte ecclesie processit, quod lustrando perambulans, forte quendam passerem modicum de nido evolare processit. Erat quidem jam agilis naturæ et ideo volatilis, utpote tener pullus nuper progressus de sub alis maternis. Qui de fastigio tecti ecclesiæ evolando descendit, ac super diruta quædam altaris veteris vestigia adhuc prominentia resedit. *Nam predicti Militis avus ecclesiam prefatam quondam asserum vilieri compage constructam a fundamentis diruerat, pro qua et aliam lapideam in honore sancti Confessoris, licet non omnino in eodem loco confecerat.* Unde et altare jam olim diu dirutum aliquantulum longius nunc temporis prominuit extra novi monasterij ambitum. The rest of the chapter shews St. Cuthbert in an amiable character, and relates the miracle he worked to save the sparrow.

doubts alluded to. A consideration of the objects of that survey will dissipate them: the purpose was principally financial.(1) It was directed so as to obtain a correct account of the taxable property within the kingdom. And it was immaterial whether the proceeds were paid altogether to the owner, or a definite portion was diverted into other channels. Therefore those churches which were endowed only with tithes of the surrounding districts, as Eccleston and Croston, Penwortham and Leyland, in Leyland hundred; and Rochdale and Eccles, in Salford hundred, were unnoticed; although the two first named churches were granted by Roger de Poictou with their tithes and other appurtenances to the priory of Lancaster; and the pages of the *Coucher Book of Whalley* prove the two latter churches to have existed at a date perhaps anterior to the Conquest.

But the case was different when a church was endowed with glebe land. Such a church appeared in the light of a land owner, and in that character is its existence notified.

(1) Sir H. Ellis says the inquisitors were directed by the oaths of the sheriffs of counties, the lords of each manor, the presbyters of every church, the reeves of every hundred, the bailiffs and six villeins of every village, to enquire into the name of every place, who held it in the time of King Edward, who was the present possessor, how many hides in the manor, how many carucates in the demesne, how many homagers, how many villeins, how many cotarij, how many servi, what freemen, how many tenants in socage, what quantity of wood, how much meadow and pasture, what mills and fish-ponds, how much added or taken away, what the gross value in King Edward's time, what the present value, and how much each freeman or sochman had or has. All this was to be triply estimated: first, as the estate was held in the time of the Confessor; then, as it was bestowed by King William; and, thirdly, as its value stood at the formation of the survey. — Ellis, *Domesday*.

Thus in modern Lancashire, south of the Ribble, the churches of Wigan and Winwick,(1) Childwall,(2) Walton,(3) Warrington,(4) Manchester,(5) Blackburn, and Whalley(6) are expressly named in *Domesday*, but invariably in connection with the ownership of land. It seems clear, therefore, that the silence of *Domesday* cannot be urged as a proof of the non-existence of a church, or of the subsequent grant of those rights and privileges by which its due efficiency is maintained.

The grants by Warin Bussel were made under the express condition (*p.* 3) that three monks and a chaplain, who subsequently became the titular prior of the establishment, should be deputed from the monastery of Evesham to perform divine offices at Penwortham. And thus was founded one of those offsets from that monastery which in monastic language were generally termed obedientaries.(7) These

(1) In Neweton H^{d}. Ecclesia ipsius Manerij habebat unam caruc. terre. St. Oswaldus de ipsa villa ii. caruc. terre habebat quietas per omnia. [Wigan was the Church of the Barony of Newton in Makerfield, and the Lords of the fee were Patrons; St. Oswald is the Church of Winwick.]

(2) In Derbie H^{d}. Cildeuuele. Ibi presbyter erat habens dimid. caruc. terre in elemos.

(3) Presbyter habebat i. caruc. terre ad ecclesiam Waletone.

(4) In Walintvne H^{d}. Sanctus Elfin tenebat unam caruc. terre quietam ab omni consuetudine preter geldum.

(5) In Salford H^{d}. Ecclesia Sancte Marie et ecclesia Sci Michaelis tenebant in Mamecester unam caruc. terre quietam ab omni consuetudine preter geldum.

(6) In Blacheburn H^{d}. Rex E. tenuit Blacheburne. Ecclesia habebat ij bovatas de hac terra, et ecclesia Sce Marie habebat in Wallei ij caruc. terre quietas ab omni consuetudine.

(7) Obedientiæ vero præsertim dictæ cellæ, præposituræ, et grangiæ a

cells were erected for various purposes. The distant property of the abbey required protection and cultivation; the reputation of the parent monastery attracted a larger number of novices than it could conveniently contain; and to meet these exigencies a cell was founded. In one instance, where the monastery was situated on the sea shore, and exposed to the incursions of robbers and pirates, a desire to provide a place of shelter led to the foundation of an inland refuge.(1) But the general cause for their creation was, as at Penwortham, a condition insisted upon by the grantor of land or property that a certain number of monks should reside and perform divine offices at the site of the donation.

The ties which bound these filiations to the parent monastery differed exceedingly. Many were entire societies within themselves, had a common seal, and received the revenues of the cell for their own use. The only acknowledgment of subjection was the payment of a small sum as a mark of superiority. Thus Wymondham in Norfolk, a cell to St. Alban, elected its own prior, presented him to the patron, and only paid a silver mark to St. Albans

monasterijs dependentes, quod monachi ab Abbate illuc mitterentur *vi* ejusdem *obedientiæ*, ut earum curam gererent, aut eas deservirent. — *Ducange in voce.*

(1) This was the cause for the foundation of Hackness in Yorkshire as a cell to Whitby Abbey. The monks complained — Veniebant namque latrones et raptores die nocteque de nemoribus et de latibulis in quibus latitabant, et deripiebant omnem substantiam eorum, et depopulabant eum sanctum Locum. Ita similiter piratæ veniebant et devastabant eum sanctum Locum, ita ut nullius miserebantur. Qua de causa Serlo prior et monachi de Whitby ostenderunt Willmo de Percy calamitatem suam, et petierunt illum ut daret eis locum manendi apud Hackness, &c. — *Dugdale.*

pro recognitione subjectionis. In some, as at Romburc in Suffolk, a cell to St. Mary, York, the token of subjection was stronger. The abbot and chapter of the parent monastery elected the prior of the cell; but he was presented to the bishop for institution, or to the patron for induction. In such cases the cell was treated as a benefice, and the prior could only be removed for canonical cause. But in others, and these were most common among the lesser cells, the subjection was complete. Of some of these latter, the grants expressly made them completely subordinate to the parent monastery. Thus, in the charter of the foundation of Tynemouth, it was granted by the Earl of Northumberland, ut abbates sancti Albani in consilio conventus liberam habeant dispositionem priorum et monachorum, tam in illis constituendis quam removendis prout viderint expedire. And this complete subjection would most probably be general in those cases where a cell was founded, and not attached to any ecclesiastical benefice.

Amongst the latter must be reckoned the so-called prior of Penwortham. It was impossible that any office could be more strictly an obedientiary. The priors of Lytham indeed were at first equally dependent on the parent priory of Durham, and were removeable at the will of the priors of that house. But so early as A.D. 1443 that mark of servitude was struck off, and Pope Eugenius decreed the priors to be perpetual. Not so at Penwortham. The proceedings taken in 1343 relative to the church of the parish, and the title of the prior, state his subjection in the most express terms.

It was alleged (*see p. 99*) by the proctor for the abbey as being notorious and public, both at Evesham and Penwortham, that the priory of Penwortham had been immemorially only an obedience of the monastery of Evesham, and had no appropriated property distinct from the monastery; that as well the then prior, who, he stated, should rather be called an obedientiary, as all other monks, who had successively held the said priory and obedience, were monks of the said monastery; that they remained under the obedience of its abbot, and were only temporal keepers there, never being presented to or instituted by the Bishop of Lichfield and Coventry. He stated that the abbots, at their free will and pleasure, had recalled the titular priors within the walls of the monastery, and preferred other monks to the same obedience without episcopal permission. And he averred that as well the successive Archbishops of Canterbury, their metropolitans, as the bishops aforesaid, in their visitations had known and had both tacitly and expressly approved of that state of things. These allegations were admitted, and it was decreed that the monks in future holding the said priory should hold it merely as obedientiaries and temporal possessors, and might be changed at the free will of the abbots of the said monastery.

Still it must not be supposed that the allegations so put forth were literally correct. Sufficiently so indeed they were for the purposes of the suit; but those amongst the monks of Evesham who were in authority no doubt rejoiced that the will of the abbot was under the control of the chapter. The customs of the monastery had been col-

lected by Abbot Ranulph. In the second year of his abbacy he went to Rome, obtained the papal confirmation from Pope Innocent the Third, and published them on his return in this form.

The customs(1) of the monastery are as follows. The abbot when within the limits of the monastery shall, according to the ancient usage of the house, lead among the brethren a regular life and conversation, and shall manage the temporal affairs providently and faithfully to the best of his power, and so as may best conduce to the utility of the church.

The prior, sub-prior, the third prior, and other obedientiaries of the order, the prior of Penwortham, the precentor, dean, sacrist, chamberlain, manciple, the cellarer, infirmarer, almoner, the keeper of the vineyard and garden, the inspector of the church fabric, the pitanciary, and the attender on

(1) Sunt igitur consuetudines monasterij hujus, videlicet, quod abbas infra septa monasterij existens inter fratres secundum antiquam domus illius consuetudinem conversando regulariter vivet et exteriora pro viribus suis ad utilitatem ecclesie provide et fideliter dispensabit.

Prior vero, subprior, tertius prior et alij custodes ordinis, prior de Penwitham, precentor, decanus, sacrista, camerarius, coquinarius, celerarius interior, infirmarius, elemosinarius, custos vineæ et gardini, magister fabrice ecclesie, pitanciarius, magister hospitum, de consilio et consensu conventus, vel majoris et sanioris partis in capitulo ab abbate de proprio conventu creentur. Qui si minus, quod absit, honeste vel minus prudenter in officijs suis se habuerint, vel male fratribus administraverint, prius correpti regulariter, si non emendaverint, amoveantur in capitulo, et alij sub forma predicta in loco eorum in capitulo et incontinenti subrogentur, ne aliquo casu in manus regis deveniant ipsa officia, abbate forte decedente, vel per moram fiat deterioracio obedientiarum, aut aliquis defectus propter moram emergat. — *Dugdale, Mon.* vol. ii. p. 28.

strangers shall be chosen in council and with the general consent of the whole convent, or of its better and wiser part, and shall afterwards be by the abbot ratified and confirmed in chapter. If (which God forbid) any one of these shall behave dishonestly or imprudently in his office, or shall mismanage the affairs of the fraternity, being first corrected according to rule, he shall, unless he amend, be removed in full chapter, and another shall be appointed by the chapter in his stead; lest by accident, or by neglect, or the decease of the abbot, these offices should fall into the hands of the king; or, through any delay in noticing such offences, due subordination be lessened or new delinquencies arise.

But these regulations only affected the superiors of the abbey. The monks, who did not form component parts of the chapter, were still at the mercy of the abbot. To them at least these distant establishments were objects of dread. They afforded too convenient facilities for the transmission of the refractory or unpopular among the brethren. In truth they were looked upon as places of banishment.

The remonstrance of the monks of St. Albans to the abbot of that convent shows the light in which such cells were viewed; and the very means used to obtain a rule to prevent the practice of transmitting the monks to them mark the intensity of their feelings on the subject, and lead to a conjecture that the will of the abbot had no such restrictions as were in force at Evesham. Three of the monks attended the abbot on his death bed, and addressed a long oration(1) to him. They besought the abbot, for the love of

(1) Domine sancte pater qui nos hactenus sub alis misericordiæ aluistis,

Him who loved His own until the end, to annul the ancient but intolerable rule, that any one should be banished to the remote cells of the convent at the mere will of the abbot. They pointed out that grievous scandal arose both to the sent and the sender; for, they said, "the laity say, 'This man who is thus sent has committed some sin, or the abbot either hates or envies him, because he is better than the abbot, and contradicts his errors, and reproves his excesses.'" They argued that such a transmission appeared to be a wandering abroad in men who had solemnly vowed to continue under the rule of St. Benedict in that monastery. And

fac nunc nobis, pro amore ipsius qui in fine dilexit suos, paternitatis et liberalitatis pietatem, ut tollatis antiquam servitutem vestræ ecclesiæ et conventus tui jugum importabile. Nostis enim bene quam intolerabilis consuetudo conventum illaqueat, ut scilicet quilibet absque causa ad arbitrium Abbatis et impetum voluntarium, et subdolas susurrorum accusationes, ad cellas nostras remotissimas, et quæ sunt nobis quasi pro exilio, non sine magna cordis amaritudine et scandalo viliter transmittatur; unde dedecus et scandalum ipsi transmisso et transmittenti multociens generatur. Dicit enim populus secularis, Iste qui transmittitur aliquod scelus perpetravit, vel odit eum, vel invidet ei Abbas, quia eo præstantior est, contradicitque erroribus Abbatis, et excessus reprehendit. Discat igitur de cætero vel tacere vel blandiri, ne dicamus adulari. Præterea videtur, pater sancte, talis transmissio evagatio, ut videlicet habitantes omnibus diebus vitæ nostræ in illa ecclesia constructa in honorem Sancte Marie vel Sancti alterius, videlicet a nostro sancto Martyre Albano conversamus, senescamus, et moriamur, qui conversionem morum nostrorum et stabilitatem continendam secundum regulam Sancti Benedicti in hoc monasterio, quod sic particulariter discrete et distincte specificatur (videlicet est constructum in honorem Sancti Albani) votivam et solennem fecimus professionem. Et quod dicendum quod etiam inviti quasi condemnati et alicujus rei facinoris convicti, in ignominiam nostram et vestram ad cellas, velut exulantes, transmittimur. Et hoc vobis etiam, ut frequenter ex ore vestro audivimus, absurdum et grave videbitur.

they presented to the abbot a rule which they had prepared on the point, namely: "That no monk of this church should against his will be transmitted to a cell." The rest of the scene, which took place whilst the abbot was in extremis, must be told in the words of Matthew Paris: "And then Alexander, the abbot's seal-keeper, shewing him the deed, wished it to be read before the abbot, that he might seal it when read. The abbot, deeply groaning, turned away his face, for he was past speaking, and then, groaning again, turned on his side to testify his dissent. But as Alexander had the seal and the writing, the wax and the slip of parchment affixed thereto, in readiness, he was angry and said: 'Silence gives consent,' and, the rest assenting, he sealed the deed." The abbot died two days after. His successor, however, disregarded a rule so obtained, although he was one of the three conspirators, and transmitted a monk to one of the obedientiaries, although the monk on bended knee and with clasped hands and streaming eyes besought him that he might remain at home.(1)

Ecce, domine, plena misericordiæ et justiciæ charta prompta supra hoc confecta; Ut, scilicet, nullus monachus hujus ecclesiæ invitus ad cellam de cætero transmittatur; ut sit in memoria vestra in æternum cum benedictione. Et ostendens dominus Alexander memoratus Abbatis bajulus et custos sigilli voluit eam legere coram ipso Abbate, ut lectam sigillaret. Abbas, exposito profundissimo ac gravissimo gemitu, avertit faciem suam, hoc nutu abnegans, jam enim loqui non poterat, et sic iterato gemitu, diversit se in latus alterum, scilicet aversum. Et cum haberet idem Alexander omnia prompta, videlicet sigillum, et scriptum, apposita cauda et cera, iratus dixit: Satis annuit qui silet. Et respondentibus illis, Verum est, sigillavit illam frater Alexander. Et illa fuit illius sigilli ultima impressio.

(1) Licet lacrymantem et lacrymando reclamantem et misericordiam ut

That the monks of Evesham must have considered a transmission to Penwortham as a species of banishment can scarcely be doubted. Its distance from their home, and the consequent severance of all the ties of friendship, would more than counterbalance any advantage in the place itself. In one instance we know that the priory was bestowed on a degraded abbot from motives of mere compassion. And even after the bitter animosity of the monks had pursued Roger Norreis to this remote corner of their possessions, and he had been deprived of the priorship on account of his excesses, he was after a lapse of years restored to the priory solely "out of pity, and to prevent him being a vagabond all the days of his life." But the account of Prior Norreis must be read with some allowance. The feelings which influenced his biographer are too apparent; and, while our sympathies are enlisted on behalf of men whose common property he wasted, and, more cruel oppression! whose clothing he utterly neglected, and whose little luxuries were exchanged for hard bread and thin beer, the statements of such deeply aggrieved witnesses may be suspected to be not quite impartial.(1)

It cannot be supposed that the principles of taste for

scilicet remanere possit domi flebiliter genibus flexis et junctis manibus postulantem. — *Matth. Paris.*

(1) It is curious how nearly the transmission of Roger Norreis to Penwortham synchronizes with the appearance in Lancashire of Hugo Norreis the founder of the ancient family at Speke. Roger was an exile at Penwortham A.D. 1213, and on the 16th October, 1199, King John confirmed to Hugh Norreis a carucate of land in Blackrod. And both were recipients of royal favour.

natural scenery were exactly defined and ascertained in those early ages. If they had been, no fervent lover of nature could have dreaded a transmission from Evesham to Penwortham. And surely no one, however unimaginative, could at any time have viewed the scene from the priory without feelings of admiration.

The site of the priory was well selected. It commanded an extensive view of the valley down which flowed the Ribble, a noble stream, abounding in salmon. The valley for some distance above the priory varies in breadth from half a mile to three-fourths of that distance, and is bounded by low rising grounds, which in no case attain to the dignity of hills; though on the right of the river they are more abrupt than on the opposite bank, where they descend to the river in gentle curves. At one place, however, the left bank changes its character. The further westward flow of the river is there arrested by a precipitous and lofty bank, which projects boldly, at right angles, nearly across the valley, and is terminated by the hill on which the castle of Penwortham stood, round the base of which the river curves sharply, and again rolls westwards to the sea.

On that projecting bank, and a little retired from the edge, stood the priory of Penwortham, open to the east and south, but defended behind by thick woods from the keen western sea breeze. Slightly inclining from the direct view to the front of the priory, the parish church and castle of Penwortham stood prominently forward on the very verge of the bank. Looking eastward up the valley the ground was thickly clothed in wood, through which the river glanced

at intervals. About a mile above the priory the Ribble receives an addition from the waters of the Derwent; and in the fork between the two streams, and on the abrupt termination of the rising grounds which divide the vallies of the Ribble and the Derwent, appeared the little chapel of Lawe, since known as Walton. And from the thick woods which nearly encircled the rising ground on which the chapel stood, curled the blue smoke which marked the lowly dwelling of the Banastres, the Lords of Walton. While the remote distance was closed in by the lofty and isolated hill on which the knightly family of the Hoghtons dwelt, and which in after years was crowned by their towers and battlements.

The leading features of this charming scene have been preserved to the present day; and this, although the unbending line of a modern railroad has been substituted for the beautiful sweep of the valley. But the approach to the parish church, whether it is visited in the freshness of spring, or when the surrounding woods wear the varied tints of autumn, still remains rarely equalled.

But the proximity of the parish church to the priory, though it certainly added to the charms of the scene, led to consequences which are felt even to the present day. In the annexation of that church to the priory, there was an instance of a complete appropriation of an ecclesiastical benefice. In other cases of a similar description a definite portion of the revenues of the church was set apart for the use of the chaplain. Such, unfortunately, was not the case in this instance. But no apology is necessary for quoting the words of Dr. Burn on this subject.

"The practice," he remarks, "which crept in with William the Conqueror, in a few reigns became the custom of the land, and the infection spread until within the space of three hundred years above a third part, and those generally the richest benefices in England, became appropriated. And in these cures the monks themselves did for some time reside and officiate by turns, by lot, and even by penance, with many other ways of shifting off the duty upon one another. Until at length such changes and intermissions in the pastoral cure becoming very scandalous, the bishops did by degrees restrain the monks from a personal cure of souls, and confined them according to rule within their own cloisters, obliging them to retain fit and able capellans, vicars, or curates, (for those titles did mean the same office,) with a competent salary paid to them. But then again, they oppressed these stipendiary vicars with such sorry allowances, and such grievous service, that the bishops at last brought them to the presentation of perpetual vicars, endowed, and instituted, who should have no other dependence on their convents than the rectors had upon their patrons." "But if the benefice were given ad mensam monachorum, and so not appropriated in the common form, but granted by way of union pleno jure, in that case it was served by a monk of their own body, who was removable at their own pleasure."

By some plea of this sort the parish church of Penwortham was completely appropriated to the monastery of Evesham. In the proceedings relative to that church it was alleged on behalf of the monastery, and not denied, that the

abbot and convent had from time immemorial held the church of Penwortham with all its rights and property by canonical title; that they had paid all episcopal dues charged on the church, and the other burthens which would have been charged on perpetual vicars; and that the religious, who had the cure of the church, as well in spirituals as temporals, were the monks of the monastery or other mere temporal vicars, who were admitted and changed at the will of the abbot, without either presentation to the bishop or institution. And therefore it was decreed that the abbot and convent were canonically possessed of the parish church, and entitled to discharge all its duties by monks of Evesham, or other temporal vicars, who might be removed or changed at the mere will of the abbot of that monastery.

The church remained thus appropriated; and, as the possessions of the dissolved monastery were given to the king in such manner and form as the monks had held them, it followed that on the dissolution of the monastery of Evesham, the church of Penwortham became a donative in the free gift and collation of the patron. The subjection to episcopal authority was slight; institution by the bishop was unnecessary. The minister was in truth only a stipendiary preacher or curate, subject, it would appear, to the complete control of the patron. And the stipend was miserable. But in the early part of this century it was augmented by a grant from the Governors of Queen Anne's Bounty. From that augmentation the church derived other than pecuniary advantages. It threw off the burthen of lay authority; it became subject to the visitation and jurisdiction of the

proper ordinary, and it took its place amongst the episcopal churches of the land. But the stipend still is such, that no one will point to the widely extended and populous parish of Penwortham as an example of the riches of the establishment.

The twin sister church of Leyland did not thus suffer. The monks could not resist the application for her endowment; and though the want and poverty of the convent of Evesham might be so commiserated as that the parish church with all its rights should be annexed to that monastery, yet care was taken that a fitting portion of the profits of the church should be reserved for the institution of a perpetual vicar. And the curate of Penwortham may perhaps, in an unguarded moment, look with an eye of envy on his well endowed neighbour, and feel a slight sensation of regret at that proximity of his church to the now vanished priory, which still causes his means of doing good to be so materially crippled.

The list of priors is still doubtless incomplete. Their position was unascertained. They remained the mere monks of a distant abbey, liable at any moment to be recalled within the walls of that monastery. Apparently they were not actors in the scenes of the day. In only one instance has the name of a prior of Penwortham been found to take any higher place than that of a party or a mere witness to a deed. In the 26th Henry III., the king granted to the prior of Penwortham the adjoining manor of Walton, until the full age of John de Banastre.(1) Hence the names of the

(1) Rex concessit Priori de Penwortham manerium de Waleton quod

priors are found solely in documents which they have witnessed, or in which they have acted on behalf of the monastery. The first on record is:

1. Henricus Prior,(1) temp. Ric. Bussel.
2. Robertus de Apeltun, temp. Hug. Bussel.(2)
3. Willmus Prior.(3)
4. Roger Norreis A.D. 1213, again from 1218 to 1224, *p.* 89.

fuit Johannis de Banastre, cujus custodia ad Regem pertinent ratione terrarum Johannis quondam Com. Linc. in manu Regis existentium habend. usque ad legitimam ætatem heredis ipsius Johannis.—*Orig.* 23 *Henry III. Dugdale.* (*Sic.*) But the fine rolls in the Tower give this date 27th July, 26 Hen. III., A.D. 1242, which agrees with other evidences.

(1) Ric'us Bussell omnibus hominibus suis Francis et Anglicis clericis et laicis salutem. Notu. vobis sit quod ego dedi &c. Ric. Fiton et hered. suis octo caruc. terre tenend. de me et heredibus meis, scil. Hedkilsiwic, Olortona, Wythul, Wheltona, Wythinhull, Hoctona, Rodelsworth cum p'tin. Habend. p'dictas terras &c. cum consensu fratrum meorum Alberti, et Galfridi, scil. per quartam partem unius militis. Hijs testibus, Alberto fratre meo, et Galfrido, Henr. Priore, Rog'o fil. Roucolf, et Ric. filio suo, Orm fil. Magni, Rogero Pincerna, Siwardo filio Antigonie, Ric. fratre suo et alijs. Valete.—*Dodsworth MS.*

(2) Sciant: — quod ego Ric. de Hocwik dedi — Edithe filie Galfridi de Longton et liberis suis quas habet de Rogero sacerdote quatuor acras terre in ffarington &c. Hijs testibus, Rob. de Apelton tunc priore existente de Penwortha., Hug. Bussel, Warino Bussel, Rob. de Clayton, Warino de ffarington, Ada de Waleton, et ..... Bussel huius carte scriptore, et alijs. —*Penwortham Deeds.*

(3) Notum sit: quod ego Alanus filius Willmi donacionem illam quam Rob. fil. Henr. de Ribbleton dederat hac presenti carta mea Sancto Johanni et fratribus Hospit. Jer'lem et fratri Viviano eorum nomine concedo et confirmo &c. Hijs testibus, Willmo Priore de Penwortham, Rob. clerico de Preston, Edwardo de Brockoles, Rob. de Prees, Philippo Gerurt, Ketello de Gren, et alijs.

5. Thomas de Gloucestria, ante A.D. 1256, *p.* 89.
6. Philippus de Neldesle, circa A.D. 1290, *p.* 53.
7. Walterus de Walecote circa A.D. 1300, *p.* 28.
8. Rad. de Wilicote, or Walcote, 13 Edw. II., *pp.* 21, 97.
9. Thomas de Blockley, A.D. 1321, *p.* 22.
10. Radulphus de Wylicote, 15 Edw. III., *p.* 55.
11. Radulphus de Whateley, 23 Edw. III., *p.* 56.
12. Willmus de Mershton, 6 Ric. II., *p.* 56.
13. Thomas Newbold, 9 Ric. II., *p.* 57.
14. Johannes de Gloucestria, 11 Ric. II. (*p.* 59) to 20 Ric. II., *p.* 58.
15. Thomas Hawforth, 9 H. V., *p.* 60.
16. Johannes Power, 12 Edw. IV., *p.* 61.
17. Johannes Staunton, 17 Edw. IV., *p.* 62.
18. Robertus Yatton, 18 Hen. VII, *p.* 65.
19. Jacobus Shrokinerton, 22 Hen. VII., *p.* 66.
20. Robertus Yatton, 1 Hen. VIII., *p.* 69.
21. Ricardus Hawkysbury, 7 Hen. VIII., *p.* 71.

The priors and the other inmates of Penwortham were of course bound, so far as practicable, to conform to the general practice and rules of the parent monastery. The customs of Evesham above alluded to plainly insist on this. All the officers, including the prior of Penwortham, were bound to do so. They proceed: "The prior[1] and the aforesaid superiors of the order shall, assisted by the abbot, use all diligence that the strictest monastic discipline according to the rule of

(1) Prior vero, et predicti magistri ordinis, simul cum Abbate, ut ordo monasticus cum rigore disciplinæ secundum regulam beati Benedicti obser-

the blessed Benedict be preserved; and chiefly they shall take care lest the monks possess any unlicensed thing; that unless permitted they only eat in the refectory; that their alms be dealt out by the almoner; that they do not leave the convent without permission; that silence be preserved in the specified places; and that they frequently confess their offences to the proper persons." But the want of a proper superintendence was keenly felt. The visitations of the bishops had been stoutly withstood. Thomas of Marlbergh gained the confidence of the monastery by his strenuous and successful opposition to the visitation of the bishop of Worcester. And it is more than doubtful whether the satire of Walter Mapes in describing the visitation of the abbot to his granges was not wholly unmerited:

Tota de temporalibus
Est patris inquisitio,
Quasi nulla de moribus
Habetur ibi questio.

This laxity led to the usual results. Ducange states that the bonds of discipline were by degrees relaxed; that the monks residing in the obedientiaries became disobedient; that they disregarded the abbot's recall; would not submit to his correction, nor listen to his rebukes; and only resorted

vetur, summam diligentiam adhibeant; maxime autem operam prestent ne monachi aliquid sine licentia habeant, et ne alias quam in refectorio comedant sine licentia, et ut elemosina eorum per manus elemosinarij erogetur, et ne a claustro sine licentia exeant, et ut silentium locis statutis observetur, et ut fratres frequenter delicta confitentur, non tamen alijs quam hijs qui ad hoc deputantur.—2 *Dugd. p.* 28.

to the monastery in cases of death. Mr. Fosbrook has preserved a quotation, stating an instance of cellular profligacy, and concluding with the bitter taunt(1): "Such are the honours and graces which spring from monks being sent to a cell of monastic rule." And if that collection of monastic scandals, the visitation of the commissioners Dr. Leigh and Dr. Layton in 1535, may be trusted, the morals of the then prior of Penwortham were not of the purest description.

It has been stated that the prior was only an obedientiary of the abbey of Evesham. In addition to the evidence before mentioned, one strong mark of independence is wanting. Various deeds are in existence which are executed by him. But no seal of the priory has been found. On the contrary, he appears to have used the abbey seals, evidently only as their proctor. And of these three have been discovered. The first is the common seal, Ad causas tantum. Another is the abbey arms, three mitres; but without the horselock forming a chevron between the mitres, which, Mr. Tindal, in his history of Evesham, states, was the abbey arms. But the third, the great seal of the abbey, and which is engraved on the frontispiece, requires a more extended notice.

The obverse of the seal is divided into three compartments, each evidently referring to different stages of the

(1) Tales autem honores et tales honestates ex monachis ad cellulam missis ordine monastico pervenire solent.—*MS. Cott. Libr. B.* 13.

Cum porro labente sensim disciplina ecclesiastica et monastica monachi vel canonici regulares per ejusmodi obedientias inobedienter viverent, ut ait Stephanus Tornac. Epist. 114, nec Abbati revocanti responderent, nec corrigenti vellent acquiescere, nec credere corripienti, nec nisi eorum morte ad monasteria eæ redirent.—*Ducange sub voce Obedientia.*

visions which were the cause of the foundation of Evesham, and which may, as Mr. Tindal says, be best told in the words of the founder himself.

"I Ecgwin, the humble Bishop of Wiccia, am desirous to manifest to all the faithful in Christ, how, by the inspiration of the Holy Spirit, and by the suggestions of many and great visions, it was revealed to me that I should erect a house to the honour and glory of Almighty God, the blessed Mary, and all the elect in Christ, and to the furtherance of my own salvation. When, therefore, in the days of King Ethelred, I chiefly flourished in his favour, I obtained from him a place called Haum, where the blessed and eternal Virgin had first appeared to a shepherd called Eoves. Afterwards she appeared likewise to me in the same place, with two virgins attending her, and holding a book in her hand.(1) I set therefore immediately to work; and, clearing the place from thorns and brambles, by the blessing of the great God, praised be his name, brought my design to the desired accomplishment."

The principal compartment on the seal contains the figure

(1) In a note to this passage, Mr. Tindal says, that Dr. Nash's account of this vision differs in a few circumstances. "Egwin, the third bishop of Worcester, obtained from Ethelred, king of Mercia, some lands in this place. His swineherd Eoves, looking after a sow which had strayed among the thickets to farrow, met the Virgin Mary, accompanied by two beautiful virgins, holding a book, and chanting. The report of this vision coming to the bishop, he hastened to the spot; and, as he prayed there, was favoured with the like appearance." — *Hist. Worc.*, vol. i. *p.* 396. There certainly are some minute touches in this account, which bring the representation on the seal closer to this narration, than to the text.

of Eoves. He is represented with his staff in his hand, surrounded by his herd, and standing in an attitude evidently denoting his ecstatic surprise at the vision with which he was favoured. The compartment is surrounded by a label bearing a Saxon inscription, which has received various readings, but the correct one appears to be that given by Mr. Hamper:

eOVes . HER . WONeDe . ANT . WAS . SWON
FOR . VI . MeN . CLePeT . VIS . eOVesHOM.

Eoves here dwelt, and was a swain
For why men call this Eovesham.

The second scene is shown in the upper part of the seal. Two figures are seen seated under a tree in an attitude of deep consultation. Evidently these are intended to represent the favoured herdsman relating his vision to the Bishop. While in the opposite compartment the vision of St. Egwin himself is pictured. The Blessed Virgin appears to the kneeling bishop, crowned, and pointing with a cross to the church, which was afterwards built, under the representation of which is written: ECCE . LOC . QUĒ . ELEGI. She is followed by two figures; the one, apparently veiled, is holding a book; the other is adorned with a head-dress. The circumscription of the whole seal is: SIGILLVM . SANCTE . MARIE . ET . SANTI . ECGWINI . EPI . EOVESHAMENSIS . MONASTERII.

In the upper part of the reverse of the seal Bishop Egwin appears kneeling, and presenting a model of the church to the Blessed Virgin, who, with the Child on her lap, is seated on, perhaps, a manger, under a gothic niche. In the base,

Bishop Egwin is seen, attended by an officer bareheaded and carrying a book, receiving, says Mr. Hamper, from his three royal patrons, Ethelred, Kenred, and Offa, a charter of privilege inscribed, DAMVS . REGIE . LIBERTATI . and to which is appended an oval seal charged with three lions passant gardant. The circumscription is given incorrectly by Tindal. It clearly produces these two leonine verses:

DICTIS ECGWINI . DANT . REGES . MUNERA . TRINI.
OMNIBVS . VNDE . PIE . NITET . AVLA . SACRA MARIE.

Which may be thus, Mr. Hamper says, rendered in a homely, though almost literal English couplet:

At Ecgwin's call, three kings with bounty come,
Whence godly prospers Mary's sacred dome.

The impression of the seal which is published on the frontispiece has been taken from a cast in the possession of Mr. W. Langton, which has been compared and found to agree with the nearly perfect seal which is still attached to the deed of Abbot Clement, (*p.* 73.)

Some of the documents, transcribed from the great book of the abbey in the British Museum, do not immediately affect the priory: they relate to the regulations of the abbey. But even a glance, however slight, at the inner life of one of those establishments, which, in their day, exercised so strong an influence on society, cannot but be interesting. The minute and distinctive regulations of etiquette necessary to be observed towards the abbot and prior, and the exactness with which the several duties of the other officers and the

charges on them are assigned, show the state of discipline which the convent enjoined. While the precautions taken to preserve the almoner from feminine influence, when he left the protection of the walls of the monastery, the watchful observation over the brethren, who had temporary license to depart from the same safeguard, point out the constant care with which the morals of the brethren were attempted to be preserved from danger.

But the name of one of the priors cannot be passed over in so cursory a manner. The venerable Nicholas Herford died in the year 1392, having been prior of the monastery during the period of forty years. His time had not been wasted. He has left behind him a name which ought to be reverenced, wherever indefatigable bibliopolists are had in honour. He purchased some few volumes, but his labours in the scriptorium were indefatigable. He transcribed, or caused to be transcribed, nearly one hundred volumes, with a multitude of tracts on various subjects. The inclination of his mind was of course towards works of divinity and theology. The books of St. Bernard, Augustine, St. Chrysostom, and Smaragdus, employed the pen of his transcriber. And, above all, a copy of the Holy Scriptures, a Psalter, and a work on the Apocalypse, were added by his exertions to the library of the monastery.

But perhaps the mind of Prior Herford required, at times, relaxation; or, it may be, he had a thoughtful regard for the amusement of the abbey guests. His collections were not confined to works on divinity and theology. Amongst them are discovered the beautiful tale of Amys and Amylon, the

Damon and Pythias of medieval chivalry, Morte d'Arthur with Sankreal, Bevis of Hampton, two volumes of the Trojan War, and another bound up with the Life of Alexander; thus shewing that Evesham catered to the general feeling spoken of in the ancient poem quoted by Mr. Warton:

> Men lykyn jestys for to here
> And romans rede in divers manere,
> Of Alexander the conquerowre,
> Of Julius Cæsar the empereur,
> Of Grece and Troye the strong stryf
> Ther many a man lost his lyf.

Evesham was, however, fortunate in this respect. She had enjoyed the services of a previous prior in the collection of books. Prior Thomas de Marlberg (*see p.* 88) could find time, even amidst the miserable struggle with Abbot Norris, and his efforts to procure an exemption from episcopal visitation, to form a splendid library. He purchased the four Evangelists with glosses, the books of Isaiah and Ezekiel, the Lamentations of Jeremiah, and some commentaries on the Psalter. But he did not confine his attention to works on sacred subjects. He extended his collection to the classical authors, and added a book of Democritus, Tully de Amicitia, and de Senectute, Lucan, and Juvenal, to the conventual library.

The expense of these works must have been considerable. The price actually paid by Prior Herford for the books he purchased was forty-seven marks and a half, and he judiciously leaves the value of the books he caused to be copied

to the discretion of the pious reader. The sum placed at the disposal of Prior Thomas de Marlberg must have been greater, but no record has been kept of its amount. The monastery, however, provided amply for the expenses of transcription and ornament. The tithes of Beningwrthe(1) and of Stoke, were, with other small sums, appropriated for the purpose of providing parchment for the scribes, colours for illuminating, and necessaries for binding, the various productions of the scriptorium.

This was only consonant with the practice in other monasteries. So general was this, that it was a saying, that a monastery without a library (sine armario) was like a castle without an armoury. Nor were the monks less diligent in studying, than in purchasing and transcribing. The most eminent scholars of those ages in philosophy and humanity were educated in the monastic establishments. They, at least, were not open to the remark of the old poet,(2) "But

(1) Ad prioratum pertinent decime de Beningwrthe, tam majores quam minores, de terris monachorum ad pergamenam et exhibitionem scriptorum pro libris scriptorum.

Ad officium precentoris pertinet quædam terra de Hampton de qua percipit precentor annuatim quinque solidos, et decime de Stokes et de quadam terra de Alncester decem et octo denarij. Ex his debet invenire precentor incaustum omnibus scriptoribus monasterij, et pergamenam ad brevia, et colores ad illuminandum, et necessaria ad ligandum libros.

(2) Lo in likewise of bookes I have store,
But fewe I reade, and fewer understande,
I followe not their doctrine, nor their lore,
It is enoughe to beare a booke in hande,
It were too muche to be in such a bande
For to be be bounde to looke within the booke,
I am content on the fayre coverynge to looke.
Barclay's Shypp of Folys.

fewe I reade and fewer understande." Mr. Warton has collected several instances of monastic bibliopolists, and proceeds: "To mention no more instances, such great institutions of persons dedicated to religious and literary leisure, while they diffused an air of civility and softened the manners of the people, in their respective circles, must have afforded powerful invitations to studious pursuits, and have consequently added no small degree of stability to the interests of learning."

Although the monastic institutions in many respects were perfectly indefensible, yet they are entitled to higher praise than the qualified approbation accorded to them by the historian of English poetry. Their position is the more striking by the strong contrast they exhibited to the external world. During ages of lawless violence and rapine, they afforded the only sanctuary for the timid and weak. When all around breathed of war, and studied its arts alone, in them were encouraged the more durable arts of peace. And when the world in general was immersed in ignorance and barbarity, learning and science sought their only asylum within the walls of the monastery.

But they contained within themselves the seeds of dissolution. The wealth, which had been lavishly poured into their coffers, was the occasion of their falling. Unchecked by external superintendence, they became indolent and self-engrossed, and, making every allowance for poetical exaggeration, grossly vicious. Yet, even in their worst ages, the sarcastic Walter Mapes was driven to confess:

> Sed proculdubio, quidam de fratribus
> Prudentes, simplices, ornati moribus.

But, after all, what more can be said on this subject than is contained in the exquisite lines and enlightened judgment of one of the first of our modern poets on the subject of these institutions:

> What other yearning was the master tie
> Of the monastic brotherhood — upon rock
> Aerial, or in green secluded vale,
> One after one collected from afar,
> An undissolving fellowship? what but this;
> The universal instinct for repose;
> The longing for confirmed tranquillity,
> Inward and outward, humble, yet sublime;
> The life when hope and memory are as one,
> Earth quiet and unchanged; the human soul
> Consistent in self-rule, and heaven revealed
> To meditation, in that quietness!
> Such was their scheme; thrice happy he who gained
> The end proposed! And though the same were missed
> By multitudes, perhaps obtained by none,
> They for th' attempt, and for the pains employed
> Do, in my present censure, stand redeemed
> From the unqualified disdain, that once
> Would have been cast upon them.

The history of the priory of Penwortham now draws to a close. It must be admitted that its range of interest is narrower than that of the Whalley Coucher. The Editor was led to investigate the early history of his parish church. And it was considered that a contribution of original documents, which carried the mind back to so remote a period as the Norman conquest, and the ages immediately subsequent to that event, would not be unacceptable.

It remains now to trace the history of the possessions of Evesham at Penwortham since the dissolution. They fell into the hands of John Fleetwood, formerly of Little Plumpton, but probably then of Heskyn, in this county, one of a numerous family, who seem at once to have sprung into notoriety. The earliest known ancestor of the Fleetwoods was

I. John de Fletewoode, living 6 Henr. IV., had issue,

1. Edward, named with his brothers as a burgess at the guild at Preston, 20 Ric. II., A.D. 1397. "Edwardus fil. Joh. Fletewood."
2. William, also named at the guild, 3 Hen. V., A.D. 1415.
3. Richard.
4. Henry.
5. Anne, married a son of Roger Etheliston. They had premises in Ribbleton settled on them by Roger de Etheliston, by deed dated die Mercurij in vigilia Ascensc. Domini, anno regni R. Henr. quarti sexto. — *Ribbleton Deeds.*

II. Henry, the son, of Little Plumpton, was living, according to Kimber, 3 Hen. VI., and had a son,

III. Edmund de Fletewoode, living 13 Edw. IV., married Elizabeth, daughter of Roger Holland of Downholland, and had issue,

IV. William Fletewoode of Heskin, who married Helen,

daughter of Robert Standish, and had four sons and two daughters, viz.

1. John Fletewood, of whom hereafter.
2. Thomas Fleetwood, who married twice. By the first wife, Barbara, the heiress of Andrew Francis of the city of London, he had Edmund Fleetwood, the ancestor of the Fleetwoods of Rossal. By the second wife, Bridget, daughter of Sir John Spring of Lavenham in Suffolk,(1) he had issue,
    1. Sir William Fleetwood, the father of Miles Fleetwood, Receiver of the Court of Wards, temp. Car. I., of George, a famous General in Sweden, and of Sir William Fleetwood, who was the father of George Fleetwood, one of the Regicides, and of Charles Fleetwood, commonly called Lord Fleetwood, who took a prominent part in the Great Rebellion. He married the widowed daughter of Oliver, Lord Protector, and is described by Clarendon as "a weak man, but very popular amongst the praying part of the army."

(1) By inquisition after Mr. Fleetwood's death, taken at Lancaster 26th March, 13 Eliz., A.D. 1571, it was found that he had died seised of the manor of Northbreke, and a messuage called Rossal Grange, &c. That, by indenture dated the 24th June, 6 Eliz, and made between the said Thomas Fleetwood of the one part, and Gilbert Gerrard Esquire, the Queen's Attorney General, William Fleetwood of Kymbel, Bucks, gentleman, and William Gerrard of the other part, the said Thomas settled certain of his estates. That the said Thomas Fleetwood died on the 1st of November then last past, and that Edmund Fleetwood was his son and heir, being then of the age of twenty-eight years and upwards.

Mr. Thomas Fleetwood was buried in the church at Chalfont, St. Giles', in Bucks, where there is a brass monument to his memory, representing him bareheaded, in plate armour, and in an attitude of devotion. His

2. Sir George Fleetwood, of the Vache, Bucks, who married Katharine, the daughter of Henry Denny of Waltham, Essex, and died 21st Dec. 1620, leaving issue,
    1. Arthur; 2. Edward; 3. Charles;
    4. George; 5. Thomas; 6. Henry;
    7. James, in Holy Orders, Chaplain to Lord Rivers' Regiment in the Civil Wars, created Bishop of Worcester July 1675, ob. 17th July 1683, æt 81. His hatchment is in Penwortham church:
    8. William, and six daughters.
3. Edward, parson of Wigan.
4. Thomas; 5. Francis.
6. Henry, of Gray's Inn, named in Mr. Richard Fleetwood's will. He had a son, Thomas.

3. Robert Fleetwood, the father of Sir William Fleetwood, of the Middle Temple, who is stated by some authorities to have been illegitimate. Sir William was made Recor-

family coat of arms is over his head. Behind him are his two wives, and their children, also kneeling. The wife nearest to him has over her head, Fleetwood impaling Francis, viz. Per fesse indented (ar. and sa.) three cocks charged on the necks with two bars, in their beaks a flower, all counterchanged. She is followed by four children. The wife furthest from him has over her head, Fleetwood impaling Spring, viz. ar. on a chevron between three mascles, (gules), as many cinque foils (or). She is followed by fourteen children. The inscription on the monument reads thus: Here lyeth Thomas Fletewoode Esquier, borne at Heskyn in the countye of Lancaster, Lorde of the Vache, Treasourer of the Mynte, Knight of the Parlyament for the shire of Buckingham, and late Sheriffe of the counties of Bucks and Bedford, who had two wives, Barbara the first, and Brigitt the second, being doughter to Syr John Springe Knight. He had eightene children, foure by the fyrst wife, and fouretene by the seconde, aged fiftye two yeares, deceased the first daye of November in the yere of our Lord God MCCCCCLXX.

der of London A.D. 1569; and by letters patent, June, 9 Eliz., he was appointed under the seals of the Duchy and County Palatine to the office of Steward of the lordship of Penwortham "per nomen Willmi Fletewood armigeri servientis nostri ad legem." He was also executor under the will of his uncle, John Fleetwood. He died 28th February 1594, and was buried at Missenden in Bucks, which he had purchased. He left two sons, Sir William, who succeeded to Missenden, and Sir Robert, Attorney General to Prince Henry, the eldest son of James I.

4. Edmund, a monk of Sion.
5. Agnes, married John Gillibrand of Chorley.
6. Jenet, married John Blackledge of Leyland.

V. John Fleetwood, according to the visitation of 1567 the eldest son, was lessee of Penwortham Priory from the Abbot and Convent of Evesham, (*p.* 112,) and afterwards purchased the reversion from the Crown, with the estate of Calwiche in Staffordshire (*p.* 112), and had a confirmation of those grants, 6 Eliz. (*p.* 120.) He had two wives, first, Catharine, the daughter of John Christmas (*see p.* 120), and second, Joan, daughter of Thomas Langton, Baron of Newton, by whom, besides Christmas and William, who died young before 1567, he had issue,

1. Thomas, who was a guild burgess of Preston A.D. 1562, 1582, and married Mary, daughter of Sir Richard Sherborne of Stonyhurst, and secondly, Maria, daughter of Roger Nowell of Read in the county of Lancaster, and became the ancestor of the Fleetwoods of Calwich in Staffordshire, Baronets.

2. Richard Fleetwood, of whom hereafter.
3. Ralph Fleetwood, guild burgess 1562; not recorded in the Visitation as alive in 1567.
4. Ann, married Thomas Barton of Barton in the county of Lancaster.
5. Catharine, married William Milward of Eaton, Derbyshire.
6. Joan, married William Bradbourne.
7. Mary.
8. Elen, married Robert Charnock of Charnock.
9. Elizabeth, married Roger Nowell of Read, 7th Nov. 1602.

One of his daughters, but which has not been ascertained, married Sir Thomas Tildesley, (*see post, note, p.* lix, and Mr. Richard Fleetwood's will, of which he made his welbeloved cosin Sir Richard Fletewood and Sir Thomas Tildesley Knight, and William Milward Esquire, brethren in law, overseers.)

Mr. Fleetwood was a guild burgess of Preston at the guilds in 1562, 1582, and was Sheriff of Lancashire 20 Eliz. By his will, dated 1st Sept. 1585, he directed his "bodye to be inhumated and buryed without pompe, but in suche sorte as shalbe semelie in the Chauncell of the parryshe churche of Elaston in the upper end therof on the South syde;" and after confirming indentures of covenants made between him and his "assured cosynes and frends Edward Standyssh esquire and Nicholas Rigbye gentleman, savinge such parte as had been altered by one payr of endentures made between him the said John ffletewood of the one part, and Sir Richard Sherburne knight of the other partye, at the maryage of his son Thomas to the daughter of the said Sir Richard Sherburne, and one other payr of endentures made between him and

Thomas Leighe of Egginton in the Countie of Derbie at the maryage of his son Richard to the daughter of the said Tho^{s} Leighe;" and after bequeathing unto his said son Richard and his heires for ever all his lands within the Countie of Lancaster, he bequeathed to his daughter Elisabeth, "so that she be ordered in her maryage" by his executours, four hundrethe poundes; to his daughter Elen, "towe fetherbeddes and towe wolle beddes, foure payre of flaxen shetes, towe payre of blancketts, and three coveringes to bee taken of my beddings at Caldwich and Penwortham indifferentlye;" to his daughter Ann, "wieffe to Thomas Barton esquire tenne poundes;" to his daughter Katharine, "wieffe to William Mylward esquier fourtye poundes;" and to his daughter Johane "wieffe to Willm. Bradburne esquier tenne poundes;" and he gave to his son Thomas "one standing cuppe with a cover, beinge all gylte, which my brother Robert fflletewode did give me to remayne as an heyrlome." And he ordained his "trustie and welbeloued cosyn Mr. Edward Fletewoode parson of Wigan," his son Thomas, his son William Mylward esquier, and his son Richard, executors. And as overseers thereof he ordained and made his "trustie nephew Willm. Fleetwood esquier seriaunt at lawe and recorder of London," his son William Bradburn esquier, the said Edward Standyshe, Edmund Fletewood esquier, Willm. Fletewood of Heskyn esquier, and his son Thomas Barton esquier, and gave unto every of them twentie shillings.

According to an entry in the Penwortham Register, and the inquisition on the death of his son Richard, Mr. Fleet-

wood was not, according to his will, inhumated in the church at Ellaston, but was buried at Penwortham on the 13th October 1590. However, a monument was erected to his memory in the chancel at Ellaston, where it still exists.(1)

(1) Ellaston has lately been visited by Mr. Heywood, and the Editor has been allowed to enrich these pages by a description of this monument.

To the north of the communion table is a large altar tomb, with two recumbent figures greatly defaced, over the size of life, upon it. The tomb was originally in a debased style; instead of Gothic niches, coats of arms were placed around it. The two figures, in Derbyshire marble, are elaborately carved. The one is an Esquire, in plate armour, his head resting on a helmet, a sword on one side, and the misericorde on the other. The face is hewn away, the arms and legs cut off. The lady, in richly brocaded silk, open gown, and kirtle, ruff and stomacher, has also her face and hands cut off. The inscription was of brass, and is taken away; but the monument is beyond all doubt that of John Fleetwood and Joan his wife, daughter of Sir Thomas Langton. It has been twice moved in the memory of people now living, and the arms have been deranged by the bricklayers.

The east side under the feet of the figures is void, but on the church wall close by, and facing, is the slab fitting to this vacant space, containing three coats of arms, very large as compared with any of the others. In the centre, Fleetwood, per pale nebulée six martlets; on the dexter side Fleetwood impaling Christmas, a fesse between three hares or conies; on the sinister side Fleetwood impaling Langton, a quarterly coat, first and fourth three chevrons, second and third a cross flory.

On the north side occurs Fleetwood between two lozenge shields, denoting Thomas the eldest son (who was buried at Ellaston 21st January 1603) and his two wives. The first is quarterly, first and fourth a lion rampant regardant, second and third an eagle displayed, for Mary Sherburne, who was buried at Ellaston 4th May 1595. The second lozenge bears three covered cups, for Nowell. It appears by the Ellaston Register that "Thomas Fleetwood of Calwich Esquire and Marie Nowell of the parish of Whalley in the Countie of Lancaster gentlewoman were married together 12th February 1602."

It is recorded (ibidem) that this lady's brother, Roger Nowell of Whalley

VI. Richard Fleetwood, the second son, had the Lancashire estates settled on him by his father. And by letters

gentleman, married Elizabeth Fleetwood of Ellaston gentlewoman, November 7, 1602.

The next shield is for the second son, Richard Fleetwood and his wife Margery Leigh, viz: Fleetwood impaling a quarterly coat; first, two bars with a bend over all; second, a chevron between three leopards' heads third, a cross flory; fourth as the first. [The arms of Margery, wife of Richard Fleetwood, as impaled with his in a window of Penwortham church, are, quarterly; first and fourth, azure, a plate argent between three ducal crowns or, within a bordure of the second; second, azure, two bars argent, over all a bend or; third, argent, a cross flory sable, (*see the woodcut, post*, p. lxii.) In Vincent's MSS., Coll. Arm., this family is traced from a brother of Thomas Leigh of Adlington in Cheshire, named Reginald, whose son Robert married Anna, coheiress of Lathebury of Egginton in the county of Derby, and was great grandfather of the lady who married Richard Fleetwood. The arms are given quarterly; first and fourth, as in the window at Penwortham; second, argent a cross flory sable; third, argent two bars azure, on a canton of the second a martlet or, (Lathebury); a crescent in the centre point of the shield; the crest, an unicorn's head argent, crined and armed or, also differenced by a crescent.] There are then three shields of Fleetwood, and one of Milward, ermine on a fesse three plates; impaling Fleetwood.

On the west side Fleetwood occurs in a lozenge between two shields; the first three boars' heads couped, for Barton; and the second Tyldesley, quarterly; first and fourth, three mole hills; second, a chief charged with a crescent, for Worsley; third three garbes, for Birkenhead. This was the coat of Sir Thomas Tyldesley, Attorney General of the County Palatine; it might hence be inferred that he had become the second husband of John Fleetwood's daughter Ann, but no certain conclusion can be drawn from the present arrangement of the shields upon this monument. These are followed by Bradbourne, quarterly, first and fourth, on a bend three mulletts pierced; third and fourth a coat of four quarters; impaling Fleetwood: and Charnocke, quarterly, first and fourth, on a bend three cross crosslets; second and third, a cross moline in the chief point, a ducal coronet (Molyneux); impaling Fleetwood.

On the south side there are eight lozenge shields of Fleetwood.

patent dated the 14th December 42 Eliz., in consideration of £3,088. 1s. 4d., the rectories of Penwortham and Leyland, and all manner of tithes and hereditaments, as well spiritual as temporal to the same belonging, were conveyed by Her Majesty unto him and his heirs for ever. Mr. Fleetwood married Margery, daughter of Thomas Leigh of Egginton in Derbyshire, and had issue,

1. Edward Fleetwood, a guild burgess 1604. He died in his father's life, viz. on the 31st July 1615, but had married, 27th August 1609, Margaret, daughter of Sir Thomas Norreys of Speke, and by her left issue,
    1. John, baptized at Penwortham 1st July 1610; "sponsores, Ricardus Fleetwood armig., Thomas Westbie generosus, et domina Elinora Norres," of whom hereafter.
    2. Richard, a guild burgess 1622, 1642.
    3. Edward, a guild burgess 1622, 1642.
    4. Elinor.
2. John, buried at Penwortham 23rd March 1595.
3. Henry, a guild burgess 44 Eliz. and 1642, and named in his father's will. He married Anne, daughter of Peter Worden, of Preston, widow of John Jenkinson, by whom he had two daughters, was living A.D. 1651, and was named in the will of his nephew, John Fleetwood.
4. Richard Fleetwood, baptized at Penwortham 6th March 1600, a guild burgess 44 Eliz., 1622, 1642, taken prisoner at Preston in February 1642, and named as "he that killed the man [Percival] in Manchester at that time the Earl came thither a little before the late siege." — *Civil War Tracts, pp.* 72, 73, 75. He married at Penwortham, 9th September 1621, Elizabeth, daughter

of Sir Edmond Trafford of Trafford, but named in the parish register as "Elizabetha Trafford de Chorley generosa," and had one daughter, Margery, baptized 3rd October 1623, and died 18th July 1629. Mr. Richard Fleetwood was constituted overseer of the will of his nephew, John Fleetwood, which was dated 20th May 1651.

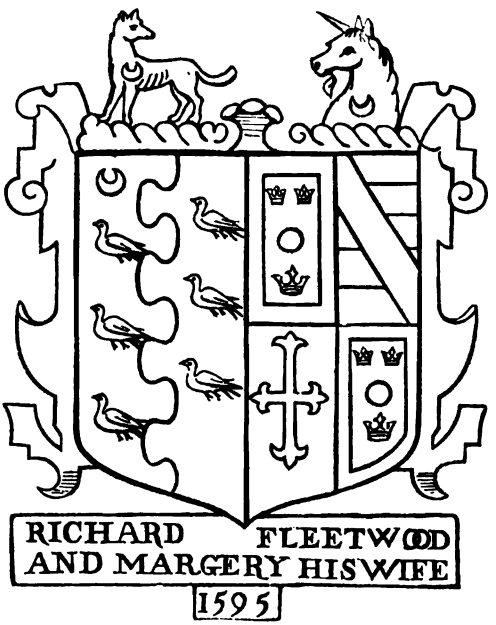
5. Ann, baptized at Penwortham 19th May 1591, married, 30th January, 7 Jac. 1.,(1) Thomas, son and heir of John Talbot of Bashall, and secondly, Mr. Westby of Mowbreck. By Mr. Talbot she had three children,
    1. Elizabeth, baptized at Penwortham 21st July 1613, her sponsors being Richard Fleetwood Esquire, Elizabeth ffarington and Elinor Tildisley gentlewomen. She married, 5th August 1617, Thomas Lewis Esquire.
    2. Margery, baptized at Penwortham 18th September 1614, married Col. William White of the county of Derby.
    3. Thomas, baptized at Penwortham 15th February 1627, ob. inf. 11th August 1618.

(1) By the marriage settlement dated the 30th day of January, 7 Jac. I., John Talbott of Bashall, in consideration of the marriage and of £800, the marriage portion of Anne Fleetwood, covenanted to levy, a fine of the manor of Bashall, the manor-house of Bashall hall and the demesne lands thereto belonging, and to convey the same to Richard Fletewood of Penwortham Esquire, Thomas Tyldisley of Orford in the county of Lancaster Esquire, his Majesty's attorney for and in the said County Palantyne, Edward Fletewood son and heir apparent of the said Richard Fletewood, Anthony Parker of the Lawnd in the county of York, and George Hodgkinson of Preston, and their heirs, to certain uses for the benefit of the said John Talbott and Ursula his wife, and the said Thomas Talbott and Edward Talbott his younger son, and Milicent Talbott the sole daughter of the said John Talbott, and to raise a jointure of £80 per annum for the said Ann Fleetwood.

6. Katharine, baptized 12th Oct. 1603 at Penwortham.
7 and 8. Juliana and Dorothea, both died young.

Mr. Richard Fleetwood, by deed dated 8th July 1 Car. I., for the better maintenance of his two sons Henry and Richard and his daughter Katharine, and for the better payment of his debts incurred by the purchase of the premises and in certain suits of law prosecuted by Sir William Norres and others, and upon this condition, that neither the said Sir William Norres, nor any of his sons or daughters, nor any Popish recusants whatever, should have the wardship or marriage of Edward Fleetwood, did covenant with Sir Henry Leigh of Egginton, Thomas Charnock of Astley Esq., William Milward of Katon in Derbyshire Esq., Henry Breres of Preston, and William Foster of Farington, to pay to his sons Henry and Richard an annuity of £40 each, and to raise £1,000 for the fortune of his then younger daughter Katharine, and subject thereto to the use of John, Richard,

From a window in Penwortham church.



and Edward, the sons of Edward Fleetwood, successively in tail, with remainder to the said Henry Fleetwood and Richard Fleetwood successively in tail.

Mr. Richard Fleetwood, by his will dated the 26th July 1625, gave to his wellbeloved wife Margery all his plate to be used by her for her life. And noticing that he had a horse of his "cosen Sir George Fleetwood knight for the which he was to have a gelding, and that he had delivered to his cosen Mr. Henry Fleetwood of Graies Inn his brother £8 in fayre gold, his minde was that his said cosen Henry should pay to the said Sir George for the said horse £6, and the residue he gave to Thomas son of the said Henry as a legacy." He gave to his daughter Katharine "both the lutes and the playing instruments which standeth in the parlour, and the Ryalls." And he proceeds, "Alsoe my mynde is that if it shall please God to take me out of this transitorie world before John Fleetewood, or other of his younger brethren, the sonnes of Edward Fleetewood my late eldest sonne deceased shall accomplish and be twentie and one yeares of age, that the wardshipp of him or them shalbe graunted unto certain feoffees named in an indenture dated the 8th daie of July 1620, so that by no waies or meanes the said wardshippe shall happen to come into the hands of Sir Willm. Norreis knight, or any other who is not conformable to the lawes ecclesiasticall now established." And he ordeyned his "welbeloved wife and her brother Sir Henry Leigh," Henry Breres, his son Henry, and his servant William Forster, executors; and he made his welbeloved Cosin Sir Richard Fletewood knight and barronet, and Sir Thos.

Tildisley knight, and William Milward Esquire my brethren in lawe overseers of the same. "Also my mynde and will is, and I doe accordingly before the eternall God Almightie and his sweete Sonne our Saviour Jesu Christe charge and comaunde my daughter Anne Westbie that she never give her consente or approbacon for the disposinge of her two daughters Elisabeth and Margerie Talbot or either of them in marriage to or with any popish recusants whatsoever, as she will answere to the contrarie before the tribunall seate of God Almightie."

Mr. Richard Fleetwood died at Penwortham 4th April, and was buried 6th April 1625, and his will was proved at Canterbury 8th July 1626. And by inquisition post mortem taken 2 Car. I. A.D. 1626, at Preston, it was found that John Fleetwood was his cousin and next heir, that is to say, son and heir of Edward, eldest son and heir apparent of the said Richard deceased, and at the time of taking that inquisition was of the age of fifteen years eleven months and three days. Mrs. Margery Fleetwood, his wife, survived, and was buried at Penwortham 30th April 1635. Mr. Fleetwood was succeeded by his grandson,

VII. John Fleetwood, a guild burgess 1622, 1642; a collector with his brother-in-law Mr. William ffarington of the subsidy granted at Preston 10th December 1642, to raise 4,000 foot and 400 horse for the King. He married at Leyland, 25th September 1627, Ann, daughter of William ffarington Esq. of Worden, and had issue,

1. Richard, baptized at Leyland 13th December 1629, but died unmarried 16th February 1647.
2. William, baptized 22nd June 1632, died unmarried ante 1664.
3. Edward, baptized at Penwortham 12th October 1634, as "Edwardus filius venerabilis viri M^ri^ Johannis Fleetwoode de Penwortham arm.," of whom hereafter.
4. John, baptized 20th September 1635, a guild burgess 1642.
5. Henry, baptized 13th November 1636, a guild burgess 1642 and 1662.
6. Margery,(1) married Laur. Rawstorne Esq. of Newhall.
7. Elizabeth, baptized 7th July 1638, married John Ashton of Middleton.
8. Mary, (in visitation of 1644 named Margaret,) married 16th May 1652, Joseph Pennington of Muncaster, the ancestor of the Lords Muncaster.

Mr. Fleetwood, by his will dated 20th March 1651, after directing his body to be buried in the parish church at Penwortham, and desiring that his heir would have a care

(1) Margeria filia venerabilis viri M^ri^ Johannis ffletewode de Penwortham arm. baptizata fuit undecimo die mensis Augusti 1633. — *Penwortham Register.* There is a characteristic notice relating to Mrs. Margery Fleetwood in the *Diary of Adam Martindale:*

"My daughter was after bred at home to her book and pen, and in Warrington and Manchester, to her needle and musick, though the latter she loved not, and after forgot it. In the year 1665 she served Mrs. Margerie ffleetwood of Penwortham, since married to Colonell Rothstern lately High Sherife of Lancashire, in whose service she had her life once much endangered; for being before Mr. Fleetwood's coach upon a poore little nag, but not so swift, it seemes, as the coach horses, which were driven furiously by the coachman, (perhaps drunke) in a narrow lane, downe she came, and was in mighty danger of being crushed in pieces by the horses and coach wheles running over her, ere they could be staid." — *p.* 208.

at all times that there should be a good, able, and sufficient preacher of the parish church of Penwortham, "endowed with lerninge and understandinge, and of a good life and conversacon fittinge for his place and callinge, and to allow such a preacher forty poundes by the yeare(1) att least in ready money," gave to his father-in-law William ffarington, and his mother-in-law Mrs. Margaret ffarington, one piece of gold of two and twentye shilling to buy them either a gold ring with. And he bequeathed unto his brothers and sisters in lawe Mr. Robert Charnocke, Mrs. Ales Charnock, Mr. Richard Clayton, Mrs. Mabell Clayton, Mr. William

(1) The terms of this legacy shew clearly how miserably dependent the then curate of Penwortham was upon the patron of the living. Mr. Fleetwood, indeed, appears to have had high notions of his power as patron. He interfered to prevent a Mr. Richardson from preaching at Penwortham. In return, Mr. Richardson, who describes himself as going about from church to church to spread the Word of God, revenged himself by penning a rabid attack against Mr. Fleetwood, and patrons in general. His verses, which have been preserved by Dodsworth, will be found hereafter; being much too long for a note. They are curious, and afford a strong confirmation of Mr. Macaulay's statement of the manner in which the country clergy were treated.

Perhaps some contemporary events may account in part for the virulence of the poet. The attention of the public had been strongly drawn to the subject of church impropriations. A society had just been formed for the purpose of purchasing them, and of maintaining a constant preaching ministry in places of greatest need. And it was "incredible," says Fuller, "what large sums were advanced in a short time towards so laudable an employment." But he adds, that in 1632 Archbishop Laud began to look with a jealous eye on the feoffees, as who, in process of time, would prove a thorn in the sides of episcopacy, and by these purchases become the prime patrons for number and greatness of benefices. And the Courts condemned their proceedings as dangerous to the Church and State, and pronounced the gifts and feoffments illegal.

ffarington, Mrs. Katharine ffarington, Mr. George ffarington, each of them one piece of gold of eleven shillings the piece. Also he bequeathed unto his uncles and aunts Mr. Henry ffleetwood, Mr. Richard ffleetwood, Mrs. Elizabeth ffleetwood, Mrs. Ann Westbie, Mr. Thomas ffarington, Mrs. Anne ffarington, Mrs. Amy Bensin, every one of them one piece of gold of five shillings sixpens the piece. Item he gave unto his own brother Edward ffleetwood 3..6..8, and to his sister Ellinor Fleetwood ffive pownds. And he directed that all his personal estate should be divided into three parts; and he reserved the first part to himself, the second part to give to his loving wife, and the third part to his "younger sorte of children." And he appointed his wife Anne ffleetwood his sole executrix, and desired his loving brothers Richard Charnock and Richard Clayton, and his kind uncles Mr. Thomas ffarington and Mr. Richard ffleetwood to be overseers thereof, &c.

Mr. Fleetwood was buried at Penwortham 4th February 1657. His widow survived a short time, and was also buried at Penwortham on the 24th March 1657. On the 27th May 1658, administration of the will of the said John Fleetwood annexed was granted by "Oliver, Lord Protector of the Commonwealth of England, Scotland, and Ireland," to Elizabeth Fleetwood and Margery Fleetwood, the daughter of the said John Fleetwood. Mr. Fleetwood was succeeded by his son,

VIII. Edward Fleetwood, who married, 1st May 1659, Anne, daughter of George Purefoy of Shalston in Bucking-

hamshire. By indenture dated the 26th June 1676, between Edward Fleetwood of Penwortham Esquire and Ann his wife, and Knightly Purefoy of Gray's Inn Gentleman, of the first part, John Lloyd and John Fleetwood of Willing, alias Willeen, in the county of Hertford, Clerk, of the second part, and Arthur Fleetwood of the city of Westminster Esquire, of the third part, the estates of Penwortham, &c., were settled to the use of the said Edward Fleetwood for life; remainder to the use of the said Ann his wife for her life; remainder to the sons of the said Edward Fleetwood and Ann his wife in tail male; remainder to the use of the said Arthur Fleetwood in tail male; remainder to the said John Fleetwood, Clerk, in tail male; remainder to Robert Fleetwood, son of Henry Fleetwood late of Wathe *(sic)* in the county of Bucks Esquire, deceased, in tail male; remainder to the right heirs of the said Edward Fleetwood for ever. On the 17th August, 23 Car. II., a fine was levied of the said property, and by deed 24th August 1688, it was declared that the fine should ensue to the uses of the said deed.

Mr. Edward Fleetwood died without issue, and was buried at Penwortham 13th April 1704, and thereby the estate became vested to the uses of the settlement. Mr. Arthur Fleetwood, whose family connection with the previous owner of Penwortham has not been ascertained, had previously died, leaving issue,

1. Henry Fleetwood, of whom hereafter.
2. Barbara, who married ..... Goring Esq.; and their only child, Barbara, married Walter Chetwynd of Grendon, co. Warwick, and had issue,

1. Walter; 2. John, who died s.p. v.p.; 3. William Henry; 4. Barbara, who married William Blacknell.

3. Honora, married .... Hinton of Atherston, co. Warwick, and had issue,

1. Fleetwood Hinton; 2. William Hinton of Chorley, gentleman; 4. Elizabeth, married Charles Wright of Chorley, apothecary; 5. Honora, married Joseph Reynolds of Atherston, mercer; 6. Mary, married Mr. Shakespear; 7. Barbara; 8. Harriet; 9. Bridget.

Mr. Arthur Fleetwood having died in the life-time of Mr. Edward Fleetwood, the property descended to his eldest son, Henry Fleetwood, who, by deed 5th and 6th August 1705 and a recovery, settled the estates on himself in fee.

Mr. Henry Fleetwood in July 1714 married Sarah, the daughter of Roger Sudell of Preston and Sarah his wife, but she died without issue, and was buried at Penwortham on the 27th October 1719. And by deed of June 1725 the property was settled on Henry Fleetwood for life; remainder to Walter Chetwynd and Barbara his wife for life; remainder to Walter Chetwynd, their eldest son in tail male; remainder to John Chetwynd his brother in like manner; remainder to Henry Fleetwood in fee. By an act of Parliament, 21 Geo. II., c. 14, A.D. 1748, it was enacted that the property should be sold.

In pursuance of this act, the estates were sold in June 1749 to John Aspinall Esquire, who afterwards, in June 1752, sold the principal part of the estates of Penwor-

tham to James Barton of Ormskirk Esquire; and they were sold by that family to the late Col. Rawstorne, in whose family they are now vested.

The Editor has now only to perform the grateful task of acknowledging the assistance which he has received during the progress of the work. His thanks are due to Mr. W. Langton, for the unsparing pains and patient attention which he has bestowed on the work from its first commencement. And the Society is indebted to Mr. William Hardy, and to Mr. Thomas Heywood, for valuable contributions to the pedigree of the Fleetwoods.

Penwortham,
Jan. 1854.

QVERELA ECCLESIÆ DE PENWORTHAM.

(See Note, ante, p. lxvi.)

ARGUMENTUM

quorundorum versiculorum a me conscriptorum in Dominum Johannem Fleetwood patronum de Penwortham in Com. Lanc. (1635.)

QUODAM tempore dum Ecclesias peragrarem ad propagandum in iisdem verbum Dei, etiam ad Penwordoniam accessi, eâ intentione ut ibidem quoque Talentum meum, quantum est, populo exhiberem, nec id tamen omnino ἀμισθεσι et precariis, sed aliquid in sumptus meos, jure ut mihi visum est, reportaturus; — sed incœptis meis obstitit patronus ecclesiæ prædictus qui etiam, nescio quo jure, Impropriationis illius Ecclesiæ proventus, ut etiam aliarum, in usum suum fructum (ut patronus hæres) convertit, necnon ad officium Ecclesiasticum inibi præstandum ministrum quendam suum (quod etiam suis majoribus semper solenne fuit) quam vilissimo sanè pretio conduxit. Cujus ipse vicem concionatoriam cùm supplere vellem, a prædicto Patrono prohibitus ab incepto desistere coactus sum: — ea autem fuit causa (ut merito conjectari licet) ne ipse aliquantillum unà cum suis parochianis tametsi volentibus mihi ad egestatem meam aliquatenus resarciendam erogaret, unde prophanâ hominis tenacitate in justissimam iram exardescens sequentes exaravi versiculos, in quibus non tàm meas partes quàm Ecclesiæ totius tutari visum est. Neve meam iniquiorem (candidissime lector) erga ipsum suspicias fuisse displicentiam, scias pro tuâ in hâc parte satisfactione prædictum patronum omnes qualiscunque formæ prædicatores, etiam insulsissimos et non conformistas, (hoc solùm leve) ut gratis concionentur, sine omni scrupulo facillimè admittere solere.

FINIS ARGUMENTI.

QUERELA ECCLESIÆ DE PENWORTHAM IN COM. LANCASTRIÆ PER JOHANNEM RICHARDSON OXONIENSEM IN ARTIBUS MAGISTRUM.

NOTES.

Heu pereo, specie LATRONEM nacta patroni! — Latronem specie Patroni.
Ah, quàm deplumor! quàm mihi sicca cutis!
Barbarus has segetes decimabit? Laicus arva?
Hæccine Religio est expoliare Deos?

Struthio ferrum concoquit.
Evome frusta miser templi: nec struthio sacrum
Digerere argentum ventre potente potest.

Aurum Tolosanum a Capione Romano direptum e templo Tolosæ exitiale suis possessoribus.
Redde Tolosanas merces: descende caballo
Seiano: Dominos dejicit ille suos.

Equus Seii fuit talis ut qui eum haberet nunquam esset felix.
Innocuos cessa Manes temerare piorum.
Hæc messis non est Laica: — tolle manus.
Propria dona Deus repetit: — repetente negabis
Numine? num Sacrum debuit esse Macrum?

Suspendia est cassis nominationis.
Anne Animæ prodest Animarum sanguine crudo
Ditari? et totos dilaniare Greges?
Communes merito jugulant suspendia fures
An qui prædatur numina liber erit?

Sic Aquilam vidi proprium comburere nidum,
Ex arâ prunam dum levat illa levem.

Corvus arripiens Scorpium ut comedat ab eo necatur.
Lethali corvum sic Scorpius enecat ictu,
Dum lætus letum devorat ipse suum.

Telum sacrilegii.
Ergo age, crudivorum tollas ex vulnere telum,

Deus.
Cœlestis clamat Cæsar habeto tuum.

Simon Magus.
Redde meum Simon, animas mihi redde ruentes,
Jam (Mage) redde mihi prædia, templa, Lares.

Aliter per eundem.

Micah. Judges xvii. 10.
Ecce redivivum genuit Lancastria MICHAM
Hunc pietas (mirum) sacra vorare jubet.

Hujus sacer stomachus.
Hujus templa sacer Stomachus benè degerit, Aras,
Atque Erebum, atque Animas, Luciferumque forum.
Obtigit huic monstro (si fas) Ecclesia, pestem
Agnoscit: Decimis nil minus illa timet.
Conducit Macrum frugalior ille Levitam
Ære levi, ut melius posset obesse gregi.

Ne minister luxuriet.
Atque duos tribuit, MICA prudentior ipso,
Siclos, ne luxu diffluat inde, cavet.
Pascitur ille fame plebis, miserique ministri
Alterutro pascit carius ille Sues.
Concio nulla placet pretium quæ postulat, Omnes
Ni gratis veniant, ablegat ille preces.

Illius opiniones.
Non tanti constat pietas ut munera poscat
Ille Deum et cœlum non nisi gratis amat.

Quàm durus sermo mercede rependere cœlum
Non tanti Christus nec Paradisus erit.
Ergo Capellanus, qui vili prædicat, Illi
Quæritur ex Haza, si petat ille nihil.
Servus, Adulator, Coridon huic sufficit hero
Dummodo nil poscat Barbarus ille placet:
Fungitur officio jam Carpentarius ipse
Pastoris, satis est si numerare potest —
Et numerat certè stipendia tanta per annum
Non aliter Templi proditor esse potest.
Clericus in numero est nullo, sed prædia cleri
In summo. Anne hoc religione frui?
Quin potius viduo reddas patrimonia templo;
Vel modicè Clerum nutriat Ara suum.
Fundator Christus contractus damnat iniquos,
Quàm malè præscribunt Laica pacta Deo!
Si sacras Templi vendas, sine jure, columbas
Expecta a Christo verbera, lora, plagas.
Anne in vendentes sanctas clamare columnas
Nescis? quæ Mystâ balbutiente stupent.
Sed dices, "partem cautus mihi jure reservo"
Perfide Ananias proderis ore tuo.
Pars tamen illa quota est! Totum superare
Quod retines — solvis siccine vota Deo?
Cortice sic pastus quondam Cyllenius Hermes
Spernitur, et nucleos turba prophana vorat.
Cortice Presbyteri viles saturantur inani
Pastorem pascens cortice, perdis oves.
Saxea corda geris Fluidæ sub nomine Sylvæ,
Conveniet præco ligneus ergo tibi.
At patriis hæres[1] (fateor) virtutibus hæres,[2]
"Si pecco, patres æmulor ipse meos.
"Illi vendiderant orbati prædia Templi
"Nonne licet parili vendere jure mihi?
"Sed me quid moveant aliena gravamina" quæris.
Non agerem causas ordinis ipse mei?
Ipse quoque expertus damnum, me vindico læsum,
Sensit Avaritiam concio nostra tuam.
Intercœpta silet; sermones quærit inemptos
Clausa manus, sordent auribus empta Midæ.
Perge fame verbi miserum damnare popellum,
Perge sacerdotes extenuare tuos.

Date aliquid pro cœlo.

Matt. xxi. 12.

Mark xi. 15.

Sacerdos minister hodiernus balbutit.

Impii in Fabella offerebant cortices nucum, ipsi edebant nucleos.

Nomen ejus — Fleet-Wood.

1 Hæres from hæreo, to stick.
2 Nomen

Displicent auribus asininis.

Quia minister sedet in mensâ cum servis non cum patrono.

Perge Capellanos famulorum addicere mensis,
Perge etiam spoliis luxuriare Dei.
Exuviis Christi luxum satiare memento
Afflictis Cristi claudere perge sinum!
Perge suo magnum depellere jure Tonantem.
Cocyti solum pascua jure tene.
Aut Deus æterno firmat mendacia verbo
Aut *sacri fures* TARTARA nigra petunt.

Cocytus est fluvius infernalis, sumitur hic pro Inferno. Church robbers.

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De Prioratu de Penwortham,

&c.

De Prioratu de Penwortham,

&c.

No. I. *De donatoribus monasterio de Evesham.*

[Evesh. Ch. fo. 58.]

Inter alia

Willmus bastardus.(1)

Warinus Bussel dedit ecclesie de Evesham ecclesiam de Penewrtham, et ecclesiam de Leilond, et capellam de Moles cum ptinencijs. Idem Warinus Bussel dedit Farinton cum ptinencijs suis.

Ricardus Bussel dedit ecclesie de Evesham sex bovatas(2) terre in Longeton. Item dedit totam ecclesiam de Leilond que reddit duas marcas, et capellam de Moles que reddit tres solidos. Albertus frater ejus dedit duas bovatas terre in Leilond.(3) Idem Albertus dedit assartum de Blakesawe. Item predictus Ricardus Bussel dedit quartam partem piscacionis sue.(4) Rogerus Pictavensis dedit Hocwike.

(1) Apparently the earliest gifts in this enumeration of donations must be assigned to the reign of William Rufus, the deed, No. iii., infra, having been perfected before Abbot Robert, who succeeded to the Abbacy of Evesham A.D. 1086, and died A.D. 1096.

(2) See No. iv. (3) See No. vi. (4) See No. v.

No. II. *Redditus officijs monachorum Eveshamie cœnobijs assignati.*
[EVESH. CH. fo. 67.]

Inter alia,

Ad coquinam vero ptinent: De Penewrtham una summa salmonis.

Ad elemosynariam ptinent: redditus de Penewrtham, scilicet quatuor marce.

No. III. *Concessio Warini* (1) *Bussel de ecclesia de Penwortham et alijs terris monasterio de Evesham.*
[EVESH. CH. fo. 87.]

Hec est convencio quam Warinus Bussel cum assensu uxoris sue et liberorum coram dño Roberto Abbate et omni conventu de Eve-

(1) The four following deeds are alluded to in the list of benefactions to the monastery of Evesham already given. By the first of them Warin Bussel, who probably was the son of Roger Bussel, the co-grantee of Blackburn Hundred with Albert Grelet from Roger de Poictou, confirms a previous grant of the churches of Penwortham, of Laylond, and of Meles, and of the township of Farinton. He also grants a carucate and a half of land in Mereton with turbary, to enable three monks and a chaplain to perform divine service at Penwortham. It is evident, not merely from internal evidence, that this is a confirmation of a previous grant by him, which has not been discovered; for it will be seen that his sons refer in their confirmations to other matters than those enumerated in the deed in the text.

By the second, which, it may be remarked, differs slightly from the transcript in the Evesham Chartulary, Richard Bussel the son of Warin confirms the previous grants by his father, and enumerates them as the church of Penwortham and its tithes; two bovates in Longton, three shillings from the church of Leyland, and two parts of the tithe of the demesne; two shillings from the chapel of Meles; two parts of the tithe of the demesne of Freckleton and Warton; and the fishery of one net. And he grants a court at Penwortham, the church of Leyland, a fourth of his fishery, four bovates in Longton, one in Penwortham, and the chapel of Meles.

By the third he grants the fourth of his fishery in Penwortham, and offers the gift with a striking ceremony. According to ancient custom, he placed the grant on the altar before the brethren, all present repeating, "Whosoever shall defend this, may God defend him; but if any one disturb it, may his name perish from the earth."

The fourth of these deeds is a confirmation of the preceding charters, with a

sham in pleno capitulo fecit: Hoc scilicet, quod convenciones primas concedit et firmat, scilicet, dationem legitime concessam de ecclesia de Pennertham, et de Leilande, et de Moles, cum rebus et beneficijs ad eas ptinentibꝫ et concessis, et de tota villa de Farinton; et insuper, ꝑ salute anime sue et ꝑ animabus uxoris filiorumque ejus et pro amore dñi Roberti Abbatis totiusque conventus, concedit ad incrementum carucatam et dimidiam in villa que Meretun dicitur, cum medietate omnis turbarie quam Warinus ibi possidet, scilicet, quatuor vaccas et quatuor boves et sexaginta oves et alterum manipulum et corpus suum post mortem cum parte sua; ea convencione, ut tres fratres cum uno capellano inibi Deo serviant, et primo anno decem solidos, et sequentibꝫ annis semper duas marcas argenti, in caritate, Dño Abbati fratribꝫ suis tribuant, qui ꝑ amore Warinum filium parvulum, si velit ad monachatum, recipient. Hanc convencionem dñus Warinus ita confirmavit, et eam sup altare posuit, solam et quietam ab omni exactione et inquietudine, quantum ad se et ad liberos suos ptinet. Ex parte Abbatis, Ranulfus clericus, Constantinus camerarius Abbatis, et Bernardus cocus. Ex parte Warini, Walterus miles suus, et nepos suus, filius Acardi, Willmus.

No. IV. *Confirmatio Ricardi Bussel de eisdem.*

[PENWORTHAM MS.]

Noverint presentes et posteri quod ego Ricardus Busel concedo et scripto atque sigillo meo confirmo ecclesie de Evesham omnem donationem et totam elemosinam quam fecit pater meus Warinus predicte ecclesie, videlicet, ecclesiam de Penewerham cum decimis et omnibꝫ ptinentijs suis, et ffarintunam cum omnibus ptinentijs suis,

further grant of two bovates in Longton and two from the demesne of Leyland, by Albert Bussel.

These grants are thus referred to in the *Testa de Nevill*:—Warinus Bussell dedit tres bovatas terre in Penwertham, et duas bovatas in Longeton ecclesie de Penwertham in pura elemosina. Ricardus Bussel dedit quatuor bovatas terre in Longeton, et unam carucatam terre in Farinton eidem ecclesie in elemosinam. Albertus Bussel dedit duas bovatas terre in Lailand in elemosinam eidem ecclesie. Abbas de Evesham tenet ecclesiam illam cum omnibus terris.

et in Longetunam duas bovatas terre, et de ecclesia de Leilandia tres solidos, et duas partes decime de dñio. Item de capella de Moeles duos solidos. Item duas partes decime de dñio de Frecheltuna (1) et Wartuna. Piscationem unius retis liberam et quietam, et totam decimam conredij domus sue. Item quod Abbas habeat curiam suam in Penewerham in omnib3 tam liberam sicut pater meus Warinus habuit suam, vel ego meam. Hee sunt donationes quas ego postea donaui, videlicet, ecclesiam de Leilanda cum omnib3 ptinentijs suis, de tota piscatione mea, imppetuum, piscaturam duorum retium et quartum piscem. In Longetuna quatuor bovatas terre. In Peneuerham unam bovatam. Capellam de Moles cum omnib3 ptinentijs suis. Has predictas donationes quas pater meus Warinus predicte ecclesie de Evesham contulit, et quas ego postea contuli, ego Ricardus Busel concedo et presenti scripto atque sigillo confirmo ut ecclesia de Evesham possideat et pacifice teneat liberas et quietas et ab omni seculari exactione solutas, in pratis, in pascuis, in aquis, in stagnis, in sablonib3, in piscarijs, in bosco, in plano, in pannagio, et omnib3 libertatib3 et liberis consuetudinib3 in puram et ppetuam elemosinam p salute mea et heredum meorum et p anima patris mei et antecessorum meorum. Hijs testib3, Waltero presbitero de Prestuna, Lidulfo de Crostuna, Easwardo presbytero de Langetuna, Gaufrido, Osberno, Radulfo capellanis, Rodberto Diacono, Osberno filio Edmundi, Ormo filio Magni, Warino filio eius, Swein Child, Willmo filio Alani, Uhtredo filio Swein, Arturo de Astuna, Swein de Penurham et Ada fratre eius, et Sibilla et Matilde sororib3 meis, (2) et multis alijs.

No. V. *Concessio Ricardi Bussel de piscatione apud Penwortham.*
[PENWORTHAM MS.]

Ego Ricardus Bussel volo notum fieri universis fidelib3, quod ego

(1) In the taxatio ecclesiastica of Pope Nicholas there is an entry which evidently refers to these grants:—"Porcio Prioris de Penewytham pro garbis quas percipit in parochia de Kyrkeham, 2 0 0."

(2) In the Evesham chartulary, "sororibus eius."

concessi et dedi Deo et sancte Marie et sancto Egwino in ecclesia de Evesham ad victum fratrum ibidem Deo servientium quartam partem totius piscationis mee de Penewertham pro anima mea et patris mei et matris atque aliorum parentum et amicorum meorum. Hanc donationem scripto confirmavi et coram fratrib3 super altare obtuli, omnib3 simul dicentib3 — Si quis hoc conservaverit, conservet illum Deus, et si quis delere voluerit, deleatur nomen eius de terra. Isti sunt testes huius donationis, Orm filius Magni, Ulf. de Waltuna, Willmus presbiter de Prestunia, Albertus frater dñi, Rodbertus filius Reinwardi nepos dñi, Symon de Assetuna, Warinus filius eius, Walterus piscator, Warinus parmentarius, Leisin et filij ejus, Gamul et multi alij.

No. VI. *Confirmatio Alberti Bussel.*

[Evesh. Ch. fo. 88.]

Sciant presentes et futuri quod ego Albertus Bussel concedo et scripto meo atq. sigillo confirmo ecclesie de Evesham et fratrib3 illic Deo servientib3 omnes donationes quas fecit pater meus Warinus et Ric. frater meus eidem ecclesie, et illas et quas ego postea ex parte mea feci et mater mea Matildis, me consentiente, et postea Leticia uxore mea consentiente et astante in pleno capitulo eiusd. Evesham ecclesie, ut predicta ecclesia et fratres in ea Deo servientes omnes illas donationes in ꝑpetua elemosyna possideant et teneant bene et libere et prorsus quietas ab omni exactione. Ita ut nullus omnino aliquid earum auferre vel minuere presumat. Quod siquis facere temptauerit Dei maledictionem et vindictam incurrit. Hee vero sunt donationes quas prius eidem ecclesie contulit, ecclesiam de Pennortham cum omnib3 ꝑtinentijs suis et in eadem villa duas bovatas terre, ffarrintona, et in Longetona duas bovatas terre, et in ecclesia de Leilonde iij. sol. et duas partes decime de Dñio, et duos sol. de ecclesia de Moeles, et duas partes decime de dñio de Frechleton et Warinton, et piscationem unius retis liberam et quietam in fluvio Rible, et totam decimam corredij domus sue. Has omnes donationes confirmauit frater meus Ric. Bussel scripto suo et sigillo, et super hoc donavit ex parte sua

totam ecclesiam de Leilond cum omnib3 suis ptinentijs, et unam bovatam terre in Penewrtham, et iiij. bovatas in Longeton, et totam ecclesiam de Moeles cum omnib3 ptinentijs suis, et quartam partem totius piscacionis sue. Has donationes patris mei Warini, et fratris mei Ric., et matris mee Matildis, et uxoris mee Leticie, ego Albertus Bussel in omnib3 concedo et sigillo meo confirmo. Corpus et meum et uxoris mee in morte concedo eidem ecclesie, et in exitu meo duas bovatas terre in Longeton; preterea duas bovatas terre que mater mea Matildis ecclesie prefate dedit in Evesham; etiam bovatas quas Letitia uxor mea me presente dedit de dñico suo in Lailanda ecclesie de Evesham in ppetuam elemosynam, confirmo. Hij sunt testes qui asserunt quod carta relecta fuit in curia dñi videlicet in tertia feria Pasche. Philippus sac'dos fil. Baldwini, Thom. clericus fil. Gaufridi, Gaufridus Bussel, Rogerus filius Rannechilli, Ormus et Rogerus fratres ejus, Hulf. de Waleton, Willmo filio Alani, Ricardo filio Hawardi, Huctredus filius Huctredi, Siwardus filius Antonij, Ricardus filius Reiwardi et Rogerus frater eius, Siwardus de Stanedis, Ricardus frater dñi, Jordanus filius Ricardi.

No. VII. *Confirmatio Hugonis Bussel.*

[Evesh. Ch. fo. 88.]

Sciant presentes et futuri quod ego Hugo Buissel concedo et scripto atque sigillo meo confirmo ecclesie de Evesham omnes donaciones et elemosynas quas dedit et confirmavit avus meus Warinus Bussel, et postea Ricardus avunculus meus, et postea pater meus Albertus predicte ecclesie, videlicet, ecclesiam de Penewrtham cum omnib3 ptinentijs suis, totam ecclesiam de Leilond cum omnib3 ptinencijs suis, et Farintonam cum omnib3 ptinentijs suis, et in Leilonde duas bovatas terre quas tenet Robertus filius Gaufridi, et capellam de Moeles cum omnib3 ptinentijs suis; et in Longetona sex bovatas terre quas tenet Robertus filius Gaufridi de ecclesia de Evesham: duas etiam alias bovatas terre in eadem villa quas tenet Reinerus filius Steinulfi; et duas bovatas terre de Euchestona, et Raleiam cum ptinencijs suis, et piscationem unius retis in Ribbel liberam et

quietam, et quartam partem piscature sue, et totam decimam conredij domus sue: duas partes decime de dñio de Frecheltona et Warintona. Has predictas donaciones quas avus meus Warinus, et Ricardus avunculus meus, et pater meus Albertus ecclesie de Evesham confirmaverunt, ego Hugo Buissel, filius Alberti Buissel, concedo atque sigillo meo confirmo, ut jam dicta ecclesia de Evesham possideat et pacifice teneat liberas et quietas et ab omni seculari exactione solutas in pratis, in pascuis, in aquis, in stagnis, in sabulonibus, in piscarijs, in bosco, in plano, in pannagio, in geldo, et in omnib3 libertatib3 et liberis consuetudinib3. Preter has donaciones ego do et concedo et sigillo meo confirmo Deo et sancte Marie et monachis in Penwortham Deo servientib3 totam decimam totius pannagij mei in puram et ꝑpetuam elemosinam ꝑ salute mea et uxoris mee et heredum meorum et anima patris mei et antecessorum meorum. Hijs testib3 Warino Bussel herede meo, Henrico Bussel fratre meo, Antigonia uxore mea, Ada de Salopessire, Roberto filio Gaufridi, Willmo dapifero, Willmo fratre Abbatis, Elmudo de Burchulle, magistro Stephano, Rogero de Tanewrth, Willmo de Capes, Albino fratre suo, Willmo fratre Henrici, et multis alijs.

No. VIII. *Confirmacio Alexandri pape tercij.*

[Evesh. Ch. fo. 114.]

Alexander(1) episcopus, servus servorum Dei, dilectis filijs Abbati et conventui de Evesham salutem et apostolicam benedictionem. Justis filiorum ecclesie petitionib3 benigno favore annuimus, et eas,

(1) By this bull Pope Alexander the Third, who succeeded to the papacy A.D. 1159, and died A.D. 1181, confirmed to the monastery of Evesham the Priory of Penwortham, granted to that monastery with the assent of the diocesan Bishop, by that noble person Richard Bussel and Albert his brother; "ordaining that it may not be lawful for any person, ecclesiastical or secular, to molest the same Priory by unlawful or undue exactions, or to invade, impair, or presumptuously to detain their possessions. Therefore we have decreed, that it shall be altogether unlawful for any one to impair this our confirmation, or rashly to contravene it. If any one shall presume to attempt this, he shall find himself under the indignation of Almighty God, and the blessed Apostles Peter and Paul."

effectu ꝑsequente, complemus. Ea ꝓpter, dilecti in Dño filij rationabili postulacioni vestre benignius annuentes, prioratum de Peneworthам, pia devocione nobilis viri Ricardi Bussel et Alberti fratris ejus, cum diocesani episcopi assensu, monasterio vestro concessum, vobis, et ꝑ vos eidem monasterio, auctoritate apostolica confirmamus, et presentis scripti patrocinio communimus. Statuentes ut nulli ecclesiastice secularive ꝑsone liceat eundem Prioratum illicitis et indebitis exactionibꝫ gravare, aut ejus possessiones invadere, minuere, seu presumptione qualibet detinere. Decrevimus igitur ut nulli omnino hominum liceat hanc paginam nostre confirmationis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit, indignationem omnipotentis Dei et beatorum Petri et Pauli apostolorum ejus se noverit incursurum. Dat. Lateran iijº non. Martis.

No. IX. *Carta Eveshamensis Abbatis de Hokewike*(1) *ad cellam Penworthamensis spectante.*

[Evesh. Ch. fo. 89.]

Dñus Abbas M. omnisque congregatio Eveshamij talem convencionem cum hijs quatuor fratribꝫ Wolfgeato, Sweino, Radulfo, Liulfo,

(1) It has already been stated that Howick was granted to the Abbey of Evesham by Roger de Poictou. The deed in the text must have followed immediately on that donation. By it Abbot Mauricius, who ruled over the Convent from A.D. 1096 to A.D. 1122, agreed with the four brothers Wolfgeate, Swein, Ralph and Liulf, that for the sum of twenty-eight shillings they should release all their claims on the land. But Liulf became the tenant to the Abbot of one part of the land under a rent of a hundred good salmons to be delivered on the nativity of the Holy Virgin.

The names of the four brethren afford a strong presumption that they were the Saxon occupiers of the soil, and it is more than probable that from Liulfus sprang the local family of de Howick, who may be traced for some generations in the township.

After the forfeiture of Roger and the grant of all the lands between Ribble and Mersey to the Earls of Chester, the monks obtained a confirmation of this grant from Randle de Meschines (le Gernons) who succeeded on the death of his father Randle de Meschines (de Bricasard) A.D. 1128, and was supposed to be poisoned by William Peverel A.D. 1153. And it may be observed that the terms of the deed afford a strong confirmation that the grant of Roger's lands was to Ranulph de Bricasard.

de terra que Hokewike dicitur fecerunt, scilicet, quod dñus Abbas dedit supradictis quatuor fratribus xxviij. solidos, ea convencione ut clament quietam omnem calumpniam quam habuerunt super illam terram semper et imppetuum. Liulfus vero unus ex illis devenit proprius dñi Abbatis, ea convencione, ut teneat de illo unam partem ipsius terre, et per singulos annos in nativitate sancte Marie centum salmones bonos pro ipsa terra reddat. Hij vero sunt testes huius convencionis, dñus Abbas, Prior, Petrus, Benedictus, Aluredus.

No. X. *Grant by Robert Bussel of twelvepence from his fishery in the Ribble at Penwortham,*(1) *and of a close of land in Longton.*

[PENWORTHAM MS.]

Noverint presentes et futuri quod ego Robertus Buissel dedi, concessi, et hac mea carta confirmavi, Deo et beate Marie et ecclesie de Evesham redditum duodecim denariorum de piscaria mea in Ribbell apud Penwrtham ꝑcipiendorum annuatim a me et ab heredibꝫ meis in ꝑpetuum ad festum beati Michaelis ad opus infirmorum fratrum de Evesham in puram et ꝑpetuam et liberam elemȯsinam. Et preterea

Ranulphus Comes Cestrie constabulario dapifero baronibus justiciarijs vicecomitibus ministris et ballivis quicunque fuerint inter Ribbam et Mersem et omnibus hominibus suis Francie et Anglie salutem. Sciatis nos concessisse Deo et sancte Marie et monachis de Evesham elemosinam suam de Hocwice, ita bene et libere et quiete et honorifice sicut melius tenuerunt tempore comitis Rogeri Pictavensis, et tempore Ranulfi patris mei, et sicut decet elemosynam habere sancta ecclesia. Ita quod nullus super monachos predictos se intromittat de predicta elemosyna, nec de operationibus, nec de alijs exactionibus, nec de occasione aliqua, aliquis eos vel eorum elemosinam super timorem Dei et super forisfactum meum inquietet, sed honorifice teneant in terris in decimis et pasturis, et in bosco et in plano et in aquis et molendinis et piscarijs, et in omnibus alijs locis. Testibus, Eustachio constabulario Cestrie, et Hugone Ostvero, et Serlone venatore, et Ricardo Bussel, Ricardo Pinc' apud Molas Warini. — Baines's *Lanc.* vol. i. p. 122.

(1) No. x. and No. xi. are referred to in an entry cited in Dugdale, vol. ii. :—"Ad infirmariam pertinent ; Apud Penewrtham, de terra Stephani de More, duo solidi : de terra Roberti Antigonie apud Hoton, decem et octo denarij : de terra Roberti Sureis, duodecim denarij ; de quadam terra in Farinton, sex denarij : de Roberto Bussel de piscaria, duodecim denarij. Ad coquinam pertinent ; de Penewortham, quatuor marce, et una summa salmonis et duo millia allecium."

dedi, concessi, et hac eadem carta confirmavi Prioratui de Penwrtham quandam perticulam terre mee in Longeton habentem in longum sex pticas et in latum sex pticas pximo loco a parte orientali juxta terram Hospitalium Jerosolimorum quam Willmus Brun tenuit in puram, liberam, et ppetuam elemosinam, p salute anime mee et antecessorum meorum ad grangias sive alia edificia facienda que fratres de Penwrtham ibidem construere voluerunt. Et ego Robertus Buissel et heredes mei warantizabimus tam predictum redditum duodecim denariorum ecclesie de Evesham quam prefatum locum prioratui de Penwrtham contra omnes homines. Hijs testibꝫ, Gileberto de Nottun tunc senescallo de Penwrtham, Thurstano Banastre, Ada Banastre, Willmo Banastre, Matheo de Holand, Radulfo de Stanedis, Siwardo de Langeton, Henrico Buissel et Thoma Buissel fratribꝫ meis, Roberto de Claiton, Roberto filio Galfridi et alijs.

No. XI. *Grant by the Abbot of Evesham to Robert le Sureis of lands in Hutton at a rent of twelve pence.*

[WERDEN MS.]

Omnibus Cristi fidelibꝫ ad quos presens scriptum pvenerit, R.(1) Dei gratia Abbas Eveshamie, et totius ejusdem Loci conventus, salutem in Dño. Noverit universitas vestra nos dedisse et concessisse Roberto le Sureis illam partem terre de Hotuna, quam Helyas de Hotuna dedit nobis, scilicet, particulam illam cuius longitudo extenditur a terra Hunardi de Dochesburi ex parte aquilonari usque ad terram Jordani filij Gille in parte australi, et latitudo extenditur a terra Sapie usque ad terram jam dicti Hunardi de Dochesburi; et alia particula extenditur a via de Longetun in parte orientali usque in Heuedland predicti Jordani filij Gille scilicet in longitudine, et latitudo extenditur ex utraque parte usque ad terram sepedicti Jor-

(1) Richard le Gras, or le Grai, the thirty-ninth Abbot of Evesham from the foundation. He succeeded to the Abbacy in September, 1236, and died at Riole in Gascony on the 8th December, 1242. In 1242 he was made chancellor by Henry III., but, being elected Bishop of Lichfield, he resigned the seals. He died, however, before he was consecrated Bishop.

dani; item terram quam idem Helyas dedit nobis in eadem villa scilicet in Ramkellecroft, infra has divisas, de Kokerdene sequendo terram Rogeri Bretun versus orientem usque ad divisam terre de Kokersond, et sic ex orientali parte sequendo extremitatem de Ramkelcroft versus austrum usque ad stratam ferratam, et sic sequendo stratam ferratam usque in Kokerdene, et sic descendendo Kokerdene usque ad terram predicti Rogeri de Bretun. Salva nobis area horrei nostri de Penwerham. Tenendas de nobis illi et heredib3 suis libere et quiete p̄ homagio et servicio suo cum omnib3 libertatib3 et liberis consuetudinib3 suis in omnib3 locis tam in aquis quam in terris. Solvendo inde nobis annuatim duodecim denarios in assumptione Beate virginis p̄ omni servicio ad nos pertinente, et idem Robertus eandem terram contra omnes homines et omnes feminas defendet. Et ut nostra concessio rata sit et firma eam scripti huius testimonio et sigilli nostri appositione roboravimus.

No. XII. *Agreement by Geoffrey the son of Robert Bussel not to sell his lands to any one except the monks of Evesham, and to sell them his lands at the market price.*

[PENWORTHAM MS.]

Universis sancte matris ecclesie filijs ad quos presens scriptum p̄venerit Galfridus Bussel filius Roberti Bussel salutem in dño. Quia veritas in communi deducta pulcrius elucebat, et canonice equitatis regula latebras non querit: universitati vestre notum esse volo me p̄ cartam meam p̄ me et heredib3 meis penes Abbatem et conventum Eveshamie fore obligatum, tam religione sacramenti prestiti quam sub pene adiectione quindecim marcarum vallata, videlicet decem marcarum Priori de Penewrtham, qui p̄ tempore fuerit, applicandarum, et quinque marcarum ad fabricam ecclesie Sancti Johannis Cestrie solvendarum. Tali scilicet obligatione quod non licebit mihi vel heredib3 meis terras et possessiones si quas habeo vel habere potero alicui seculari ecclesiasticove p̄sone vendere, elemosinare, impignorare, accommodare, aut aliquo alio modo alienare, nisi predictis Abbati et conventui Eveshamie, vel eorum Priori de Penewrtham,

qui p tempore fuerit. Ita tamen quod predictus Abbas et conventus, vel eorum Prior de Penewrtham, mihi dabunt quantum ab alio in communi foro habere potero sine fraude et dolo. Et ad maiorem securitatem fide a me corporaliter prestita, et tactis sacrosanctis evangelijs, obligavi me p me et heredib3 meis istam convencionem et obligacionem sub pena predicta inviolabiliter observare. Subjacendo me et heredes meos jurisdictioni Archidiaconi Cestrie, ut sine strepitu judiciali, tantum habita summaria cognicione, compellat me et heredes meos tam ad pene solucionem quam ad predicte convencionis et obligacionis observationem, si contingat mė vel heredes meos dictam convencionem in aliquo violare. Renunciavi etiam p me et heredib3 meis super premissis impetratis et impetrandis omni exceptioni, regie phibitioni, et alijs exceptionib3, cavillacionib3, tam in foro civili quam canonico, mihi et heredib3 meis competentib3. In cuius rei testimonium presentes literas sigilli mei munimine roboravi. Hijs testib3, dño Johanne de Lee, dño Willmo de Clifton, Ada de Blakeborn, Willmo rectore ecclesie de Waleton in Derbisyr, Willmo de Mel clerico, Willmo de Singleton, Rob. de Longeton, Galfr. filio suo, Rob. de Hwithul, Henr. de Hocwic, Ada filio suo, magistro Willmo de Preston, Rob. de ffar., Rob. de Scal, Waltero de Penwrtham, et multis alijs.

No. XIII. *Deed of release by Richard de Farinton of all his right in the township of Farinton.*

[PENWORTHAM MS.]

Sciant presentes et futuri quod ego Ricardus de ffarintona(1) filius Warini concessi et resignavi et quietum clamavi Deo et beate Marie et dñis meis Abbati et conventui Eveshamie p me et heredib3 meis omnes terras et omnes redditus que habui in ffarintona, et omne jus

(1) This grantor is not mentioned in the pedigrees of the ancient family of Werden; and it is more than probable that the descents here stated do not refer to that family. The early descents of the Werden Faringtons will be hereafter stated. Vide No. xviii. The date of this deed ranges between October A.D. 1211, when John de Lascy succeeded to the constablewick of Chester, and November A.D. 1232, when he was created Earl of Lincoln.

quod habuimus vel habere potuimus in eadem villa de ffarintona, cum homagijs et servicijs liberorum hominum qui de me tenuerunt, et cum wardis et relevijs, et omnib3 alijs commodis que de terris illorum ꝑveniunt, et omnib3 libertatib3 ad eandem villam ꝑtinentib3. Habenda et tenenda ut ꝑprium jus ecclesie Eveshamensis absque omni impedimento et clameo mei et heredum meorum imꝑpetuum. Ita quod ego et heredes mei non teneamur reddere aliquem redditum de eadem villa sicut reddere consuevimus quando homines de ffarintona tenuerunt de nobis qui amodo tenebunt de predictis dñis meis et de redditib3 terrarum suarum in eadem villa, et de omnib3 alijs servicijs racionabilib3 de eisdem terris dñis meis respondebunt sicut mihi respondere consueverunt. Et quominus ꝑ defectum servicij quod eis et eadem terra de ffarintona facere debui et consuevi, eadem terra juste in manus eorum devenerit. Tamen ꝑpter hanc meam concessionem, resignationem, et quietam clamanciam dederunt mihi predicti dñi in urgentissima necessitate mea duas marcas argenti. Quare ego et heredes mei warantizabimus predictis dñis nostris omnia predicta contra omnes homines et omnes feminas. In huius rei testimonium hanc cartam sigillo meo signatam eis feci et dedi. Hijs testib3, Galfrido senescallo dñi J. de Lacy constabularij Cestrie, Alano clerico, Alano de Moeles, Roberto filio eius, Roberto Antigonie, Ada filio Marie, Rogero de Nothessawe, Henrico filio Alani, Alexandro capellano, Willmo diacono, Waltero de Penwrham, Warino filio meo, et multis alijs.

No. XIV. *Taxatio ecclesie de Penwortham.*

[EVESH. CH. fo. 162.]

Taxatio (1) ecclesiarum ꝑventuum, reddituum et obvencionum temporalium spiritualium Abbacie Eveshamie secundum verum valo-

(1) Id est, the well-known taxation of Pope Nicholas, A.D. 1291, alluded to in the *Coucher Book of Whalley*, published by the CHETHAM SOCIETY, p. 336. It is strange that the Church of Leyland, which then formed part of the possessions of Evesham, should not be named in the partial copy of the roll transcribed into the chartulary of that Abbey. The entry for this church in the roll itself is — "Laylond valet per annum x. lib. unde decime i. lib."

rem facta ad mandatum reverendorum patrum dñorum Wynton et Lincoln episcoporum executorum deputatorum negocij decime dño Regi Edwardo illustri filio Henrici Regis concessa in subsidium sancte terre p magistros Ricardum Vxenna et Walterum filium Warr. clericos cum porcionibꝫ pceptis et detentis decimis tam in parochijs pprijs quam alienis.

Penwortham valet p annum xxiv. libr. unde decime xliiij^{s}.

No. XV. *Writ of ad quod damnum*(1) *relating to eight acres of Waste in Penwortham.*

[Tower Rolls.]

Edwardus, Dei gracia rex Anglie, dñus Hibernie et dux Aquitanie, dilecto et fideli suo Johanni de Eure escaetori suo ultra Trentam salutem. Mandamus vobis quod p sacramentum pborum et legalium hominum de balliva vestra p quos rei veritas melius sciri potuit diligenter inquiratis si sit ad dampnum vel prejudicium nostrum aut aliorum si concedamus dilecto et fideli nostro Thome Comiti Lancastrie quod ipse octo acras vasti cum ptinencijs in Penworthham dare possit et assignare dilectis nobis in Cristo Abbati et conventui de Evesham. Habendas et tenendas eisdem Abbati et conventui et successoribꝫ suis imppetuum, nec ne. Et si sit ad dampnum vel prejudicium nostrum aut aliorum, tunc ad quod dampnum et quod prejudicium nostrum, et ad quod dampnum et quod prejudicium aliorum, et quorum et qualiter et quomodo. Et de quo vel de quibꝫ predictum vastum teneatur, et p quod servicium, et qualiter, et quo-

(1) The writ of ad quod damnum lieth, says Fitzherbert, where a man will give lands or tenements in mortmain, as to a religious house; then he ought for to have the king's licence, and the licence of the chief lords, to make such gift or grant; and, before such licence be granted, the course is to sue unto the king to have a licence to sue that writ out of chancery, directed unto the escheator, to inquire what damage it would be to the king, or unto other persons, if the king do grant such licence. And upon the return of that writ, (and the inquisition taken thereon,) certified in the chancery, the king ought to give leave that he may aliene or give in mortmain, and that inquisition ought to be certified into chancery under the seals of the escheator, and of the jurors by whom the inquisition was found.

modo, et quantum valeat p annum in omnib3 exitib3 juxta verum valorem ejusdem. Et qui et quot sunt medij inter nos et prefatum Comitem de vasto predicto. Et inquisitionem inde distincte et apte factam nobis sub sigillo vestro et sigillis eorum p quos facta fuerit, sine dilacione mittatis et hoc breve. Teste meipso apud Sturreye xviij. die Julij anno regni nostri septimo.

No. XVI. *Inquisition thereon.*

[Tower Rolls.]

Inquisitio capta coram Johanne de Eure escaetore dñi Regis ultra Trentam apud Penewortham die Lune prox. ante festum sancti Gregorij pape anno regni regis Edwardi filij regis Edwardi septimo p Willmum de Thorph, Robertum de Heskyn, Thom. de Clayton, War. de Goldbourn, Warin. de Heskyn, Thom. de Northeschawe, Willmum de Hoghwyk, Joh. de ffarinton, Ricardum de Thounleye, Robertum ffab., Walterum Deurest, et Robertum Bussel, juratores ad inquirend. si sit ad dampnum vel prejudicium dñi Regis (*&c. prout in Breve ad quod dampnum, supra.*) Qui dicunt p sacramenta sua quod non est ad dampnum vel prejudicium dñi Regis nec aliorum. Et etiam dicunt quod predictus Comes dictum vastum quod est de manerio de Penewortham tenet de dño Rege sicut Comes Lincolnie tenuit predictum manerium p servicium unius militis. Et etiam dicunt quod qualibet acra p se valet p annum iiij. denar. Et etiam dicunt quod non est aliquis medius inter dñum Regem et prefatum Comitem de vasto predicto. In cuius rei testimonium dicti juratores presentib3 sigilla sua apposuerunt.

No. XVII. *Licence from the king to make the aforesaid grant.*(1)

[Evesh. Ch. fo. 131.]

Edwardus, Dei gracia rex Anglie, dñus Hibernie et dux Aquitanie, omnib3 ad quos presentes litere pvenerint salutem. Licet de communi concilio regni nostri statutum sit quod non liceat viris religiosis

(1) The editor has not been able to discover any grant of this waste made by

seu alijs ingredi feodum alicuius ita quod ad manum mortuam deveniat sine licencia nostra et capitalis dñi de quo res illa immediate tenetur. Per finem tamen quem dilectus nobis in Cristo Abbas de Evesham fecit nobiscum concessimus et licenciam dedimus p̃ nobis et heredib3 nostris, quantum in nobis est, dilecto consanguineo et fideli nostro Thome Comiti Lancastrie quod ipse octo acras vasti cum p̃tinencijs in Penworthham dare possit et assignare prefato Abbati et conventui eiusdem Loci. Habendas et tenendas eisdem Abbati et conventui et successorib3 suis imp̃petuum: et eisdem Abbati et conventui quod ipsi predictas octo acras vasti cum p̃tinencijs a prefato Comite recipere possint et tenere sibi et successorib3 suis imp̃petuum, sicut predictum est, tenore presentium similiter

Thomas Earl of Lancaster, unless the following grant by Henry Duke of Lancaster, the nephew of Earl Thomas, refers to it.

Henricus, dux Lancastrie, comes Derbie, Lincolnie, Leycestrie, ac senescallus Anglie, omnibus dilectis ac fidelibus suis tam ministris quam ballivis salutem. Noverint universi per presentes nos dedisse, concessisse, et omnino de nobis et heredibus nostris quietum clamasse Abbati et conventui Eveshamie et successoribus eorum imperpetuum omnes terras et tenementa, mesuagia, servicia, domus, reversiones, cum advocacionibus ecclesiarum, capellarum, dignitatum, cum elemosynis, piscarijs, pannagijs, libertatibus, liberis curijs, communijs, estoverijs suis capiendis tam in bosco et plano quam in mora, marisco, et turbarijs, tam de claudendo, edificando, et ad edificia et ad constructa reparando quam ad comburendum, et ad alia necessaria sua facienda sine perturbatione nostra, heredum nostrorum, seu ministrorum nostrorum, seu aliorum quorumcunque, que quidem terras, tenementa, messuagia, servicia, communia, reversiones, advocationes, dignitates, elemosinas, piscaria, pannagia, liberas curias, estoveria, Abbas et conventus habuerunt ante diem confectionis presentium in villis de Penwortham, ffaryngton, Howyke, Hoton, Longton, et Laylond, et per easdem metas et bundas. Preter has donationes ego do et concedo et sigillo meo confirmo Deo et Sancte Marie et monachis de Penwortham Deo servientibus quandam partem vasti nostri inter Martynns Bothommy et Brendelegh, quod vocatur Whadyethegrenes in eadem villa cum pertinencijs, et quod liceat eis dictum vastum claudere, et ad utilitatem et usus suos proprios clausum tenere. Habend. et tenend. de nobis et heredibus nostris in liberam et perpetuam elemosinam sine aliquo servicio seculari exactione seu demanda: nichil nobis vel heredibus nostris reservando nisi tantum preces et orationes. Et nos et heredes nostri omnes terras et tenementa per easdem metas et bundas et cetera supradictis Abbati et conventui et eorum successoribus imperpetuum contra omnes gentes warantizabimus et acquietabimus et defendemus imperpetuum. In cuius rei, &c.—Tindal, *Evesham*, p. 163; *Cotton, Nero*, D. iii. fol. 246.

licentiam dedimus specialem. Nolentes quod predictus Comes vel heredes sui seu predictus Abbas et conventus aut successores sui racione statuti predicti p nos vel heredes nostros occasionentur in aliquo seu graventur: salvis tamen capitalib; dñis feodi illius servicijs inde debitis et consuetis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Ebor. vicesimo die Septembris anno regni nostri octavo.

No. XVIII. *Agreement between the Abbey of Evesham and William de ffarinton, relating to common of pasture in the Wood of Leyland, in respect of their manor of Farinton, and to other lands in Farinton.*

[WERDEN MS.]

Pateat universis p presentes quod cum contenciones mote essent inter Abbatem et conventum Evesham ex parte una et Willmum de ffaringtón ex parte altera super articulis subscriptis, videlicet, super communa pasture et libero introitu et exitu quas dicti Abbas et conventus clamaverunt p manerio suo et tenentib; suis in ffaringtón. Habend. usque in boscum de Leylond p totum annum ad omnimoda averia sua erga dictum Willmum p quandam cartam(1) quam habent

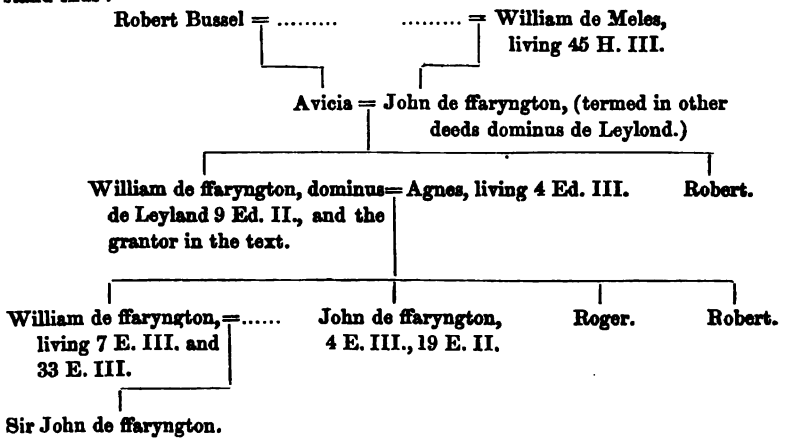
(1) This deed has not been discovered; but the connection between Robert Bussel and the grantor of this deed is proved by the following writ of formedon of the date of 7 Edward III., transcribed from the Werden MS.

Edwardus Dei gratia rex Anglie, dominus Hibernie, et dux Aquitanie, Vicecomiti Lancastrie salutem. Precipe Willmo de Walton quod juste et sine dilacione reddat Willmo de ffaryngton octo acras terre et decem acras bosci cum pertinencijs in Laylond: Precipe Johanni le Croft et Emme uxori sue et Willmo filio Ade de Walton quod juste et sine dilacione reddant eidem Willmo de ffaryngton viginti acras bosci cum pertinencijs in eadem villa: Precipe Roberto de Wetenhale et Matildi uxori eius quod juste et sine dilacione reddant eidem Willmo de ffaryngton decem acras terre cum pertinencijs in eadem villa: Precipe Johanni de ffaldworthyng quod juste et sine dilacione reddat eidem Willmo de ffaryngton septem acras terre cum pertinencijs in eadem villa: Quas Robertus Busshel dedit Johanni filio Willmi del Meles in liberum maritagium cum Avicia filia ejusdem Roberti Busshel, et quas post mortem predictorum Johannis filij Willmi et Avicie, et Willmi filij eorundem Johannis filij Willmi et Avicie, prefato Willmo de ffaryngton filio ejusdem Willmi filij Johannis et consanguineo et heredi predictorum Johannis filij

de Roberto Bussel, et etiam super tribus acris terre in bosco de Leyland p̄ suas certas divisas sicut continentur in quadam alia carta quam dicti Abbas et conventus habent de predicto Roberto, et etiam super decem acris terre de vasto approviato p̄ Johannem de ffarington patrem predicti Willmi de ffarington in ffarington, et etiam super quinque acras terre que fuerunt de dñicis dictorum Abbatis et conventus in eadem villa, et etiam super constructione molendini aquatici in eadem villa p̄ predictum Willmum confecti, et etiam super quadam secta ad molendinum dictorum Abbatis et conventus in eadem villa. Habend. de predicto Willmo et tenentib̄ suis, de qua Symon Gardianus de manerio dictorum Abbatis et conventus de Penwortham predictos Willmum et tenentes suos implacitavit. Tandem ad instanciam communium amicorum in hunc modum conquieverunt, videlicet, quod dictus Willmus dedit et concessit p̄ se et

Willmi et Avicie descendere debent per formam donacionis predicte ut dicit: Et nisi fecerint — et predictus Willmus de ffaryngton fecerit te securum de clameo suo pros. tunc summ. per bonos summonitores predictos Willmum de Walton, Johannem, Emmam, Willmum filium Ade, Robertum, Matildem, et Johannem, quod sunt coram Justiciarijs nostris apud Ebor. a die sancti Martini in xv. dies ostens. quare non fecerint, &c. Et habeas, &c. Teste meipso apud Marlebergh secundo die Novembris anno regni nostri septimo.

The early descents of that family, so proved, and as drawn from other deeds, stand thus:



heredib3 suis quod dicti Abbas et conventus et eorum successores habeant illas tres acras terre quas petierunt ab eo, habendas in bosco de Laylond ad totum ꝑficuum suum faciendum, ꝑut sibi melius viderint expedire, sine impedimento dicti Willmi vel heredum suorum, et ad claudend. ꝑ eorum voluntate, sicut plenius continetur in carta quam habent de predicto Roberto Bussel. Et dicti Abbas et conventus relaxaverunt et quieteclamaverunt ꝑ se et successorib3 suis imꝑpetuum dicto Willmo et heredib3 suis omnimodas actiones quas habuerunt tam in terris et tenementis quam in omnib3 alijs rebus predictis erga dictum Willmum et heredes et tenentes suos in predictis villis, videlicet, de ffaringtou et Laylond. Salvis tamen dictis Abbati et conventui omnib3 dominijs suis, et antiquis firmis ad terminos debitos et consuetos cum incremento xij. denariorum ꝑ annum ad Assumptionem beate Marie virginis, capiend. annuatim de omnib3 tenementis dicti Willmi in ffaringtou, cum homagijs, relevijs, fidelitatib3, eschaetis, quando acciderint, et omnib3 servicijs que dictus Willmus et antecessores sui dictis Abbati et conventui de jure facere debent et consueverunt; et salvis etiam dictis Abbati et conventui et eorum successoribꝫ illis decem porcis quietis de pannagio in tempore pessone in bosco de Laylond quos Robertus Bussel eis concessit ꝑ cartam suam absque impedimento dicti Willmi vel heredum suorum. Dictus etiam Willmus concedit ꝑ se et heredib3 quod amodo non clamabunt habere aliquam partem vasti approviandi in villa de ffaringtou racione ꝑcenarie sed ab huiusmodi aꝯcione sint imꝑpetuum exclusi. Dat. apud Laylond dñica ꝑxima ante festum sanctorum apostolorum Philippi et Jacobi anno regni regis Edwardi filij regis Edwardi septimo.(1) Hijs testib3, dño Ad. de Walton milite, Roberto de Scyrburn senescallo, Willmo de Hogwyk, Willmo de Coudrey, Ricardo de Hougton, Ad. de Chernok, Thoma de Laylond, et alijs.

(1) It is curious that the counterpart of this agreement is now at Penwortham. But the Prior's counterpart, as might have been expected, is more perfect than that at Werden. The date and the witnesses are wanting in the Werden MS., and have been supplied from the Penwortham deed.

No. XIX. *Release by William de ffarinton of his right in three acres of land and waste in Leyland.*

[WERDEN MS.]

Pateat universis p̄ presentes me Willmum de ffarington relaxasse et omnino p̄ me et heredib̄ meis quietuclamasse Deo et beate Marie et Abbati et conventui de Evesham et eorum successorib̄ omne jus et clameum quod habui vel aliquo modo habere potui in tribus acris bosci et vasti in Laylond quas ijdem Abbas et conventus habent de dono quondam Roberti Busshel. Ita quod nec ego dictus Willmus nec heredes mei in predictis trib̄ acris bosci et vasti aliquid juris vel clamei de cetero exigere vel vendicare poterimus. In cuius rei testimonium huic presenti scripto sigillum meum apposui. Hijs testib̄, dño Adam de Walton, Roberto de Shyreburn, Ricardo de Hoghton, Willmo de Coudre, Willmo de Howyk, et alijs. Dat. apud Penwortham in vigilijs ramis Palmarum anno regni regis Edwardi filij regis Edwardi octavo.

No. XX. *Agreement between the Prior of Penwortham and Thomas de Noteschaghe*(1) *relating to roads in Howyk.*

[PENWORTHAM MS.]

Hec indentura testatur quod cum Thomas de Noteschawe imparcasset et interfossasset quamdam plateam terre que vocatur Note-

(1) The family of Noteschaghe continued the principal landowners in Howyk under the Abbey until the reign of Henry VII.; when Richard, the son and heir of Ralph Noteschaghe, after having by various deeds disposed of portions of his estate to Richard Hesketh, "gentilman lerned in the lawe," afterwards attorney general to Henry VIII., consummated the entire transfer of his possessions in Howyk to Mr. Hesketh by deed bearing date the 21st Hen. VII. The family appear to have disappeared altogether from that date, and the very name is now lost in the township. The Heskeths are still considerable landowners there; but Howick Hall was lately disposed of to Mr. Rothwell of Hoole, who afterwards transferred it to the late John Gerst Esquire, of Preston, in whose family it still remains.

schaweheued ad exheredacionem Abbatis et conventus de Evesham et ecclesie sue de Penwortham obstruendo vias suas, p quas decimas suas cariare solebant, et denegando eis p se et tenentib3 suis de Hoghwyk communam pasturam suam in predicta placea in tempore apto. Quib3 quidem vijs et pasturis uti et habere solebant a tempore quo non extat memoria. Et sup hoc frater Raduphus de Wilecote tunc temporis custos ecclesie de Penwortham, et locum tenens dicti Abbatis et conventus de Evesham, pcipiens exheredacionem predictam in prejudicium ecclesie de Penwortham, omnia predicta fossata totaliter psternebat, sicut ei de jure bene licuit. Et postea concordatum est, quod dictus Thom. ex licentia et mera voluntate dicti fratris Radulphi, tunc custodis de Penwortham, dictam placeam imparcare et fossare ad commodum suum in tempore clauso possit. Salvis tamen dictis Abbati et conventui et custodi de Penwortham et successorib3 eorum vijs suis p medium dicte clausture, sicut hactenus uti solebant p decimis suis cariandis in tempore clauso. Et salva tamen communi pastura in predicta placea p se et tenentib3 suis de Hoghwyk sicut de antiquo habere consueverunt in tempore apto. Et si contingat dictum Thom. heredes vel assignatos suos dictas vias obstruere et cariagia predicta impedire, seu predictam communam pasture in predicta placea pturbare vel denegare: Tunc liceat dicto Abbati et conventui et custodi de Penwortham, qui p tempe fuerit, dicta fossata et clausturam ad voluntatem suam psternere absq. contradiccone predicti Thome heredum vel assignatorum suorum. In cuius rei testimonium tam dictus frater Radulphus p se Abbate et conventu quam dictus Thomas p se et heredib3 et assignatis suis alternatim sigilla sua apposuerunt. Hijs testib3, Willmo de Hoghwyk, Adam de eadem, Ric. de Maghersone, Willmo le Spenser, Henr. Plunket, et alijs. Dat. apud Penwortham die dñica pximo post festum sancti Ambrosij episcopi et confessoris anno regni Regis Edwardi filij regis Edwardi tercio decimo.

No. XXI. *De terra in ffarinton.*

[EVESH. CH. fo. 117.]

Item in eodem die (s.c. in translacione Sancti Andree apostoli anno dñi M°ccc°xxj°) frater Thomas de Blockley, tunc prior de Penwortham, p consensum Abbatis et conventus de Evesham assignavit coquinario(1) dimidiam marcam de quadam terra juxta molendinum de Farynton ad idem festum solempnius parandum.

No. XXII. *Lease from the Abbot and Convent of Evesham to Adam, son of Roger de Farington, of a cottage and land in Farington, at a rent of three shillings and threepence.*

[PENWORTHAM MS.]

Omnibus hoc scriptum visuris vel audituris Willmus(2) Dei gratia Abbas Eveshamie et eiusdem Loci conventus salutem in Dño. Noveritis nos cum communi assensu conventus nostri concessisse et tradidisse Ade filio Rogeri de ffarinton et heredibꝫ de corpore suo legitime ꝑcreatis unum cotagium in villa de ffarinton situm apud le Moshems et duas acras terre jacentes super le Crofthendis cum turbaria sufficienti pro dicto cotagio ad capiendum in musso de ffarinton et pastura sufficienti pro quantitate dicti tenementi. Habendum et tenendum dictum cotagium et totam predictam terram cum omnibꝫ suis ꝑtinencijs de nobis et successoribꝫ nostris sibi et heredibꝫ de cor-

(1) The kitchener was an officer of great consequence in monastic establishments. According to Mr. Fosbroke, the Abbot could not without his leave contract any of the manors assigned to the kitchen. He sat on the left of the Prior at meals, and gave the licence to the reader as well as that of dining and drinking. At Evesham the kitchener had the following perquisites. Item singulis diebus habere debet coquinarius forragium ad unum equum et prębendem, vel duo prębendaria de furfure de granario, et duos porcos habere debet ad plancher. But, as might be expected, the kitchener had a claim on the Ribble salmonry, (see ante, p. 9,) which evidently was thought highly of even at that early period, and under all the disadvantages of a protracted journey from Penwortham to Evesham.

(2) Viz. William de Cheriton, confirmed Abbot 1316, and died 13th December, 1344.

pore suo legitime ꝑcreatis imꝑpetuum. Reddendo inde annuatim dictus Adam et heredes sui de corpore suo legitime ꝑcreati nobis et successoribꝫ nostris tres solidos et tres denarios argenti, videlicet ad festum Natalis Dñi, et ad festum nativitatis sancti Johannis Baptiste ꝑ equales porciones. Et faciendo sectam ad molendinum nostrum de ffarinton cum omnimodis bladis suis, et faciendo sectam ad curiam nostram de Hoghwyk quociescunque dictus Adam et heredes sui de corpore suo legitime ꝑcreati summoniti fuerint. Et si contingat dictum Adam sine heredibꝫ de corpore suo legitime ꝑcreatis in fata decedere, tota predicta terra cum ꝑtinencijs nobis et successoribꝫ nostris integre revertatur. In cuius rei testimonium tam dictus Abbas et conventus ꝑ se et successoribꝫ suis quam dictus Adam ꝑ se et heredibꝫ suis de corpore suo legitime ꝑcreatis huic indenture alternatim sigilla sua apposuerunt. Hijs testibꝫ, Roberto de Shireburne, Roberto de Andirton, Willmo filio Willmi de ffarinton, Willmo de Hoghwyk, Rob. Buschel de Longeton, et alijs. Dat. apud ffarinton die Sabbati ꝓximo post festum sancti Jacobi apostoli anno regni Regis Edwardi filij Regis Edwardi quarto decimo.

No. XXIII. *Writ of ad quod damnum, relating to lands in Howick and Penwortham, and rents in Farington.*

[Tower Rolls.]

Edwardus Dei gracia rex Anglie, dñus Hibernie et dux Aquitanie, dilecto clerico suo Thome de Burgh escaetori suo citra Trentam salutem. Mandamus vobis quod per sacramentum ꝓborum et legalium hominum de balliva vestra ꝑ quos rei veritas melius sciri poterit diligenter inquiratis si sit ad dampnum vel prejudicium nostrum aut aliorum si concedamus dilectis nobis in Cristo Abbati et conventui de Evesham quod ipsi undecim acras terre et duas acras prati cum ꝑtinencijs in Hogwyk quas de Simone de Hogwyk,(1) et unum mesuagium

(1) It is probable that the lands first named in the writ are those mentioned in the following entry quoted by Dugdale from *Bibl. Cotton*, Vespasian, E. xvij., fo. 216. — Simo de Hocwyk quietum clamavit eidem conventui totam partem terre sue quam habuit in quibuscunque placijs ville de Hocwyk que vocatur le Commerse per

et quatuordecim acras terre et tres acras prati cum ptinencijs in eadem villa que de Alano de Meles, unum mesuagium et decem acras terre cum ptinencijs in eadem villa que de Roberto de Knapesheued, unam acram terre et dimidiam cum ptinencijs in eadem villa quas de Alicia la Countasse, unam acram terre et dimidiam cum ptinencijs in Penewortham quas de Simone filio Hugonis, decem solidatas redditus cum ptinencijs in Faryngton quas de Johanne de Gayrestang, et decem et octo denaratas redditus cum ptinencijs in eadem villa quas de Adam de Hogwyk sibi et domui sue in feodo post publicacionem statuti de terris et tenementis ad manum mortuam non ponendis editi, licencia nostra sup hoc non obtenta, adquisiverunt, retinere possint sibi et successoribꝫ suis imppetuum nec ne. Et si sit ad dampnum vel prejudicium nostrum aut aliorum, tunc ad quod dampnum et quod prejudicium nostrum, et ad quod dampnum et quod prejudicium aliorum, et quorum, et qualiter, et quo modo, et de quo, vel de quibꝫ predicta mesuagia, terra, pratum, et redditus teneantur, et p quod servicium, et qualiter, et quo modo, et quantum predicta mesuagia terra, et pratum valeant p annum in omnibꝫ exitibꝫ juxta verum valorem eorundem, et qui et quot sunt medij inter nos et prefatos Simonem, Alanum, Robertum, Aliciam, Simonem, Johannem, et Adam, de mesuagijs, terra, prato, et redditu predictis. Et inquisitionem inde distincte et apte factam nobis sub sigillo vestro et sigillis eorum p quos facta fuerit sine dilacione mittatis, et hoc breve. Teste meipso apud Ebor. xxij. die Novembris anno regni nostri sexto decimo.

Kellesene.

Indors. p Canc. ad instanciam Thome de Evesham.

divisas in carta sua assignatas. Simo filius predicti Simonis de Hocwyk confirmavit illam donationem patris sui. Dedit etiam et quietum clamavit totum jus et clameum quod habuit in una sagitta barbata annui redditus quam Warinus de Hocwyk solebat dicto Simoni patri suo annuatim reddere pro crofto quod predictus Warinus dedit eisdem monachis. Concessit etiam totum jus quod habuit in terra de Hocwyk quam Adam filius Rogeri de Hocwyk eisdem dedit, una cum toto jure suo in piscaria aque de Ribbel.

No. XXIV. *Inquisition thereon.*

[Tower Rolls.]

Inquisitio capta coram Thoma de Burgh escaetore dñi regis citra Trentam apud Preston in Amondernesse die Sabbati prox. post festum sancte Katarine virginis anno regni regis Edwardi filij regis Edwardi sexto decimo p sacramentum Willmi de Hogwyk, Ade de Hogwyk, Willmi de Scales, Ade Cl — de Longeton, Roberti Pershull, Henr. de Blakeburne, Willmi le —— de Noteshagh, Johannis de ffaldworthinges, Roberti de ffaryngton, Willmi filij Ric. de Hole, et Rogeri filij Hugonis de Moudaley juratores ad inquirendum sup content. in brevi huic inquisitioni consuto. Qui dicunt per sacramentum suum quod non est ad dampnum nec prejudicium dñi Regis nec aliquorum aliorum si dñus Rex concedat Abbati et conventui de Evesham, quod ipsi undecim acras terre et duas acras prati cum ptinencijs in Hogwyk quas de Simone de Hogwyk, unum mesuagium quatuordecim acras terre et tres acras prati cum pertinencijs in eadem villa que de Alano de Meles, unum mesuagium et decem acras terre cum ptinencijs in eadem villa que de Roberto de Knapesheued, et unam acram terre et dimidiam cum ptinencijs in eadem villa quas de Alicia la Countasse, unam acram terre et dimidiam cum ptinencijs in Penwortham quas de Simone filio Hugonis, decem solidatas redditus cum ptinencijs in ffarington quas de Johanne de Gayrestang, et decem et octo denaratas redditus cum ptinencijs in eadem villa quas de Adam de Hogwyk, sibi et domui sue in feodo post publicationem statuti, de terris et tenementis ad manum mortuam non ponendis, editi, licencia dñi Regis super hoc non obtenta, adquisiverunt, retinere possint sibi et successoribꝫ suis imppetuum, eo quod omnia predicta terre et tenementa et redditus de predicto Abbate tenentur immediate. Quoad hoc p quod servicium, et qualiter, et quo modo, dicunt quod predictus Simon de Hoghwyk tenuit de predicto Abbate predictas undecim acras terre et duas acras prati cum ptinencijs in Hoghwyk p homagium et fidelitatem et servicium duodecim denariorum p annum, et Alanus de Meles tenuit de predicto Abbate

predicta mesuagia, quatuordecim acras terre et tres acras prati cum ptinencijs in eadem villa p homagium et fidelitatem et servicium duorum solidorum et sex denariorum p annum, et Robertus de Knapesheued tenuit de predicto Abbate predicta mesuagia et decem acras terre cum ptinencijs in eadem villa p homagium et fidelitatem et servicium sex denariorum p annum, et Alicia la Countasse tenuit de predicto Abbate unam acram terre et dimidiam cum ptinencijs in eadem villa p fidelitatem et servicium duorum denariorum p annum, et Simon filius Hugonis tenuit de predicto Abbate predictam acram terre et dimidiam cum ptinencijs in Penwortham p fidelitatem et servicium unius denarij p annum, et Johannes de Gayrestang tenuit de predicto Abbate predictas decem solidatas redditus cum ptinencijs in eadem villa p homagium et fidelitatem et servicium octo denariorum p annum, et Adam de Hogwyk tenuit de predicto Abbate predictas decem et octo denaratas redditus cum ptinencijs in eadem villa p fidelitatem et servicium unius denarij p annum. Et quoad hoc, quantum valent p annum in omnib3 exitib3, dicunt, quod predicte undecim acre terre et decem acre prati cum ptinencijs in Hoghwyk valent p annum in omnib3 exitib3, salvis servicijs inde prius debitis, iiij. solid. vi. denar.; et predicta mesuagia, quatuordecim acre terre et tres acre prati cum ptinencijs in eadem villa valent p annum in omnib3 exitib3, salvis servicijs prius inde debitis, vij. solid.; et predicta mesuagia et decem acre terre cum ptinencijs in eadem villa valent p annum in omnib3 exitib3, salvis servicijs prius inde debitis, iii. solid. et vj. denar.; et predicta acra terre et dimidia cum ptinencijs in eadem villa valent p annum in omnib3 exitib3, salvis servicijs prius inde debitis, vj. denar.; et predicta acra terre et dimidia cum ptinencijs in Penwortham valent p annum in omnib3 exitib3, salvis servicijs prius inde debitis, v. denar.; et predicte decem solidate redditus et decem et octo denarate redditus cum ptinencijs in Farington valent p annum in omnib3 exitib3, minus p servicium suprascriptum prius inde debitum. Et quoad hoc quot et qui sunt medij, dicunt, quod nulli sunt medij inter dñum Regem et prefatos Simonem, Alanum, Robertum, Aliciam, Simonem, Johannem et Adam de predictis mesuagijs, terra, prato et

redditu preter predictum Abbatem. In cuius rei testimonium huic inquisitioni predicti Juratores sigilla sua apposuerunt.

Indors.] fiat p finem x. marc. factum coram Canc. Thes. et alijs de consilio.

No. XXV. *Licence from the King to make the said grants.*

[Evesh. Ch. fo. 124.]

Edwardus Dei gracia rex Anglie, dñus Hibernie, et dux Aquitanie, omnib3 ad quos presentes litere pvenerint salutem. Sciatis quod, p finem quem dilectus nobis in Cristo Abbas de Evesham fecit nobis, pdonavimus ei et conventui eiusdem Loci transgressionem quam fecerunt adquirendo sibi et domui sue in feodo undecim acras terre et duas acras prati cum ptinencijs in Hogwyk de Simone de Hogwyk, et unum mesuagium et quatuordecim acras terre et tres acras prati cum ptinencijs in eadem villa de Alano de Meles, et unum mesuagium et decem acras terre cum ptinencijs in eadem villa de Roberto Knapesheued, et unam acram terre et dimidiam cum ptinencijs in eadem villa de Alicia la Countasse, et unam acram terre et dimidiam cum ptinencijs in Penwortham de Simone filio Hugonis, et decem solidatas redditus cum ptinencijs in Farynton de Johanne de Gayrestang, et decem et octo denaratas redditus cum ptinencijs in Hogwyk de Ada de Hogwyk, et ea ingrediendo post publicationem statuti de terris et tenementis ad manum mortuam non ponendis editi, licentia nostra sup hoc non obtenta. Et concessimus p nobis et heredib3 nostris, quantum in nobis est, eisdem Abbati et conventui quod ipsi predicta mesuagia, terras, pratum, et redditus cum ptinencijs habeant et teneant sibi et successorib3 suis imppetuum sine occasione vel impedimento nostri vel heredum nostrorum, justiciariorum, escaetorum, vicecomitum, aut aliorum ballivorum seu ministrorum nostrorum quorumcunque, statuto predicto non obstante. Salvis tamen capitalib3 dñis feodi illius servicijs inde debitis et de jure consuetis. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Towyk xij. die Maij anno regni nostri sexto decimo.

No. XXVI. *Carta de anniversario*(1) *Walteri de Walecote Prioris de Penwortham.*

[Evesh. Ch. fo. 157.]

Omnibus Cristi fidelib3 presens scriptum visuris vel audituris Johannes permissione divina Abbas de Evesham salutem in Dño sempiternam. Noverit universitas vestra nos assensu et consensu totius conventus nostri p̄ nobis et successorib3 nostris imppetuum concessisse et assignasse elemosinarie nostre de Evesham omnes redditus terras et possessiones cum p̄tinenc̄ijs suis tam in Evesham quam apud Penwortham quas Walterus de Walecote functus officio Prior de licencia nostra comparavit et ecclesie nostre adquisivit, sicut patet p̄ instrumenta inde confecta et in martilogio nostro particulariter reducta, quos tamen redditus memorato Waltero quoad vixerit ad usus sibi necessarios ex p̄missione et ordinacione nostra concessimus. Et post decessum predicti Walteri, elemosinarius noster qui p̄ tempore fuerit omnia predicta cum p̄tinenc̄ijs suis et escaetis integre recipiet ut in die anniversario dicti Walteri inveniat conventui ad anniversarium ipsius annuatim faciendum optimam pitanciam salmonis vel alterius piscis melioris qui tunc poterit invenire una cum caritate vini optimi, et totum residuum p̄maneat in p̄petuum secundum discretionem elemosinarij pauperib3 fideliter erogandum, omnes illas excommunicantes qui supradicte ordinacionis scienter contravenire presumpserint. In cuius rei testimonium tam nos quam dictus conventus huic scripto signa nostra apposui fecimus.

(1) On the anniversary of the death of an officer of the monastery, prayers for his soul were usually offered up; and on such days a pittance was allowed to the monks. This was a custom in most Abbeys. Ducange has preserved one. Quod in singulis predictis anniversarijs abbas dicti monasterij teneatur providere toti conventui de pitantia sufficienti et super bonis sibi largitis per dictum D. Delphinum. In this case the pittance consisted of an allowance of salmon or the best fish that could be procured, and an allowance of the best wine. The grantor was John de Brokehampton, Abbot from August A.D. 1282 to his death 18th August A.D. 1316.

No. XXVII. *Confirmation by Queen Isabella of lands in the parish of Penwortham.*(1)

[PENWORTHAM MS.]

Isabella Dei gracia regina Anglie, dña Hibernie, Comitissa Pontieu, omnib3 dilectis et fidelib3 tam ministris quam alijs salutem in Dño sempiternam. Sciatis nos dedisse concessisse relaxasse et omnino quietum clamasse Abbati de Evesham et eiusdem Loci conventui et successorib3 suis imppetuum, quantum in nobis est, omnia terras et tenementa, mesuagia, servicia, dñia, reversiones, redditus, cum advocationib3 ecclesiarum capellarum, dignitatib3, elemosinis, piscarijs, pannagijs, libertatib3, liberis curijs, communijs, estoverijs tam in bosco et in plano quam in moris, mariscis, et turbaria tam ad claudendum, edificandum, reparandum, quam ad comburendum, et ad alia necessaria commode faciendum sine ꝑturbatione ministrorum nostrorum seu aliorum quorumcunque, que quidem mesuagia, servicia, et omnia alia supradicta idem Abbas et conventus habuerunt die confectionis presentium in villis de Penwortham, ffaryngton, Hoghwyk, Hoton, et Longeton. In cuius rei testimonium has literas fieri fecimus patentes. Dat. apud Coventr. x. die Aprilis anno regni Regis Edwardi filij nostri carissimi octavo.

No. XXVIII. *Writ of ad quod damnum concerning lands in Faryngton and Leyland.*

[TOWER ROLLS.]

Edwardus Dei gracia rex Anglie, Dñus Hibernie, et dux Aquitanie dilecto et fideli suo Johanni Moryn escaetori suo citra Trentam salutem. Mandamus vobis quod ꝑ sacramentum ꝑborum et legalium hominum de Balliva vestra ꝑ quos rei veritas melius sciri poterit

(1) These lands were assigned to Queen Isabella for her life. This deed precedes only by a few days the confirmation transcribed in the *Coucher Book of Whalley*, p. 229. The grant, though very large in its terms, evidently was considered not to extend to a claim of puture by the senschal of the Liberty of Penwortham, or it would have been pleaded in the action for extorting puture hereafter noticed.

diligenter inquiratis si sit ad dampnum vel prejudicium nostrum aut aliorum si concedamus Willmo de Faryngton quod ipse unum mesuagium et octo acras terre cum ꝑtinencijs in Faryngton et Leylond, et Johanni le White capellano quod ipse quatuordecim solidatas redditus cum ꝑtinencijs in eadem villa de Laylond, dare possint et assignare dilectis nobis in Cristo Abbati et conventui de Evesham. Habend. et tenend. sibi et successoribꝫ suis imꝑpetuum, nec ne. Et si sit ad dampnum vel prejudicium nostrum aut aliorum, tunc ad quod dampnum et quod prejudicium nostrum, et ad quod dampnum et quod prejudicium aliorum, et quorum, et qualiter, et quomodo, et de quo vel de quibꝫ predicta mesuagia, terra, et redditus teneantur, et ꝑ quod servicium, et qualiter, et quomodo, et quantum eadem mesuagium et terra valeant ꝑ annum in omnibꝫ exitibꝫ juxta verum valorem eorundem, et qui et quot sunt medij inter nos et prefatos Willmum et Johannem de mesuagio, terra, et redditu predictis, et que terre et que tenementa eisdem Willmo et Johanni remaneant ultra donaciones et assignaciones predictas, et ubi et de quo, vel de quibꝫ teneantur, et ꝑ quod servicium, et qualiter, et quo modo, et quantum valeant ꝑ annum in omnibꝫ exitibꝫ, et si terre et tenementa eisdem Willmo et Johanni remanencia ultra donaciones et assignaciones predictas sufficiant ad consuetudines et servicia tam de predictis mesuagio, terra, et redditu sic datis quam de alijs terris et tenementis sibi retentis debita faciend., et ad omnia alia onera que sustinuerunt et sustinere consueverunt, ut in sectis visibꝫ franci plegij, auxilijs, tallagijs, vigilijs, finibꝫ, redempcionibꝫ, amerciamentis, contribucionibꝫ, et alijs quibꝫcunque oneribꝫ emergentibꝫ sustinendis, et quod idem Willmus et heredes ipsius Johannis in assisis juratis et alijs recognicionibꝫ quibꝫcunque poni possint, ꝑut idem Willmus et antecessores predicti Johannis ante donaciones et assignaciones predictas poni consueverunt. Ita quod patria ꝑ donaciones et assignaciones predictas in ipsius Willmi et heredum predicti Johannis defectu magis solito non oneretur seu gravetur. Et inquisitionem inde distincte et apte factam nobis sub sigillo vestro et sigillis eorum ꝑ quos facta fuerit sine dilacione mittatis et hoc breve. Teste meipso apud Stryvelyn viij° die Novembris anno regni nostri decimo.

No. XXIX. *Inquisition thereon.*

[Tower Rolls.]

Inquisitio capta apud Leyland coram Johanne Moryn escaetore dñi Regis citra Trentam die Mercurij in festo Sancti Edmundi regis et martyris anno regni regis Edwardi tercij a conquestu decimo p̄ sacramentum Roberti de Holand de Eukeston, Ade de Clayton, Johannis de Clayton, Henr. de Kirden, Johannis de ffaldworthing, Petri de Ryselegh, Ricardi Banastre, Willmi de Hogwyk, Thome de Noteshagh, Willmi de Withalgh, Johannis de Armetruy, Rogeri et Roberti le Spicer de Leyland, qui dicunt sup̄ sacramentum suum quod non est ad dampnum nec prejudicium dñi Regis nec aliorum si idem dñus Rex concedat Willmo de Faryngton quod ipse unum mesuagium et octo acras terre cum p̄tinencijs in Faryngton et Leylond, et Johanni le White capellano quod ipse quatuordecim solidatas redditus cum p̄tinencijs in eadem villa de Leylond dare possint et assignare Abbati et conventui de Evesham. Habend. et tenend. sibi et successoribꝫ suis imp̄petuum. Et dicunt quod unum mesuagium et septem acras terre cum p̄tinencijs in Faryngton et una acra terre cum p̄tinencijs in Leylond tenentur de predictis Abbate et conventu et successoribꝫ suis p̄ servicium reddendi p̄ annum decem denarios ad terminos sancti Martini et Pentecoste p̄ omni servicio. Et ijdem Abbas et conventus ea tenent in puram elemosynam de dño Rege in capite. Et dicunt quod dicta mesuagium et terra valent p̄ annum in omnibꝫ exitibꝫ juxta verum valorem eorundum cum servicio predicto sex solidos. Item dicunt quod tenementa unde redditus predictus quatuordecim solidorum in predicta villa de Leylond p̄venit tenentur de Priore Hospitalis sancti Johannis(1) Jerosolym in Anglia p̄ fide-

(1) These lands were evidently those given by Roger de Lascy to the Knights of St. John of Jerusalem. In *Testa de Neville*, fo. 403, there is the following entry: "D'nus Rogerus Constab. dedit ix. bovatas in Leiland Hospit' Jer'lm quas Hugo Bussel ten."

This order was founded 21 Hen. I., A.D. 1120, three years after the foundation of the Templars. The Knights of St. John were also called Hospitallers; a name given

litatem et p̄ servicium reddendi eidem Priori et successoribꝫ suis unam rosam p̄ annum ad festum sancti Johannis Baptiste p̄ omni servicio, et idem Prior ea tenet in pura elemosina de dño rege in capite. Item dicunt quod non sunt alij medij inter dñum Regem et prefatos Willmum et Johannem de mesuagio, terra, et redditu predictis, nisi predicti Abbas et Prior ut predictum est. Item dicunt quod remanent eidem Willmo ultra donacionem et assignacionem predictas diversa terre et tenementa in Faringtón que tenentur de predictis Abbate et conventu p̄ fidelitatem, et valent p̄ annum in omnibꝫ exitibꝫ decem libras. Item dicunt quod remanent predicto Johanni ultra donacionem et assignacionem predictas diversa tenementa in Leylond que tenentur de predicto Priore p̄ fidelitatem, et valent p̄ annum in omnibꝫ exitibꝫ quadraginta solidos. Item dicunt quod terre et tenementa eisdem Willmo et Johanni remanencia ultra donacionem et assignacionem predictas sufficiunt ad consuetudines et servicia tam de predictis mesuagio, terra, et redditu sic datis quam de alijs terris et tenementis sibi retentis debita faciend., et ad omnia alia

to them from an hospital at Jerusalem dedicated to St. John the Baptist, and built for the accommodation of pilgrims. The primary obligation on these knights was to provide for the pilgrims at that hospital, and to protect them from injury when travelling to and from Jerusalem.

The tenants of these orders enjoyed great privileges in England, as well against the king as against other lords; as, to be free from tenths and fifteenths due to the king, to be discharged of purveyance, not to be sued for ecclesiastical causes before the ordinary, sed coram conservatoribus privilegiorum suorum. And evidently for the purpose of claiming these privileges, the practice not uncommonly obtained of conveying lands to these orders at nominal rents. But both orders were highly favoured in England, and the possessions of the Knights of St. John were materially increased on the dissolution of the Templars, 17 E. II. Both these military religious orders were cruce signati, and therefore it was the practice to erect a cross, as the ensign of their profession, on the lands, to notify that they could claim the privileges of the orders. The statute 13 Edw. I., st. 1, c. 33, "Lands where crosses be set shall be forfeited as lands alienated in mortmain," was aimed at these claims of exemption; and after reciting "Forasmuch as many tenants set up crosses, or cause to be set up, in their lands in prejudice of their lords, that tenants should defend themselves against the chief lords of the fee by the privileges of the Templars and Hospitallers," it is ordained "that such lands shall be forfeit to the chief lord, or to the king, in the same manner as is provided for lands aliened in mortmain."

onera que sustinuerunt et sustinere consueverunt, ut in sectis, visibꝫ franci plegii, auxilijs, tallagijs, vigilijs, finibꝫ, redempcionibꝫ, amerciamentis, contribucionibꝫ, et alijs quibꝫcunque oneribꝫ emergentibꝫ sustinendis. Et quod idem Willmus et heredes ipsius Johannis in assisis juratis et alijs recognicionibꝫ quibꝫcunque poni possint ꝑut idem Willmus et antecessores predicti Johannis ante donacionem et assignacionem predictas poni consueverunt. Ita quod patria ꝑ donacionem et assignacionem predictas in ipsius Willmi et heredum predicti Johannis defectu magis solito non oneretur seu gravetur. In cuius rei testimonium predicti Juratores huic inquisitioni sigilla sua apposuerunt. Dat. apud Leylond die et anno supradictis.

No. XXX. *Licence from the King to make the aforesaid grants to the Abbey.*

[Evesh. Ch. fo. 131.]

Edwardus, Dei gracia, rex Anglie, dñus Hibernie et dux Aquitanie, omnibꝫ ad quos presentes litere ꝑvenerint salutem. Licet de communi consilio regni nostri statutum sit quod non liceat viris religiosis seu alijs ingredi feodum alicuius, ita quod ad manum mortuam deveniat, sine licencia nostra et capitalis dñi de quo res illa immediate tenetur, Volentes tamen dilectis nobis in Cristo Abbati et conventui de Evesham graciam facere specialem, concessimus et licenciam dedimus ꝑ nobis et heredibꝫ nostris, quantum in nobis est, Willmo de ffaryngton quod ipse unum mesuagium et octo acras terre cum ꝑtinencijs in Faryngton et Laylond, et Johanni le White capellano quod ipse quatuordecim solidatas redditus cum ꝑtinencijs in eadem villa de Leylond dare possint et assignare prefatis Abbati et conventui eiusdem Loci. Habenda et tenenda sibi et successoribꝫ suis imꝑpetuum; et eisdem Abbati et conventui quod ipsi predicta mesuagia et terras et redditus cum ꝑtinencijs a prefatis Willmo et Johanne recipere possint et tenere sibi et successoribꝫ suis imꝑpetuum, sicut predictum est, tenore presentium similiter licenciam dedimus specialem. Nolentes quod predicti Willmus et Johannes vel heredes sui aut prefati Abbas et conventus sui seu successores sui racione statuti

predicti p nos vel heredes nostros inde occasionentur in aliquo seu graventur. Salvis tamen capitalib3 dñis feodi illius servicijs inde debitis et consuetis. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Hothembe sexto die Decembris anno regni nostri decimo.

No. XXXI. *Licencia Regis de terris in Leyland et Longton.*

[EVESH. CH. fo. 131.]

Edwardus Dei gracia rex Anglie, dñus Hibernie, et dux Aquitanie, omnib3 ad quos presentes litere pvenerint salutem. Licet de communi consilio regni nostri statutum sit quod non liceat viris religiosis seu alijs ingredi feodum alicuius ita quod ad manum mortuam deveniat sine licentia nostra et capitalis dñi de quo res illa immediate tenetur, p finem tamen quem dilectus nobis in Cristo Abbas de Evesham fecit nobis concessimus et licentiam dedimus p nobis et successorib3 et heredib3 nostris quantum in nobis est Johanni le White capellano quod ipse xxiv^{or} acras terre et dimidiam cum ptinencijs in Leylond, Johanni filio Ricardi de Hogwyk quod ipse tres acras terre cum ptinencijs in Longeton, et Thome filio Matildis de Longeton quod ipse unum mesuagium cum ptinencijs in eadem villa, dare possint et assignare prefatis Abbati et conventui eiusdem Loci. Habenda et tenenda sibi et successorib3 suis imppetuum. Et eisdem Abbati et conventui quod ipsi predicta mesuagia et terram cum ptinencijs a prefatis Johanne, Johanne, et Thoma recipere possint et tenere sibi et successorib3 suis imppetuum, sicut predictum est, tenore presentium, similiter licenciam dedimus specialem. Nolentes quod predicti Johannes, Johannes, et Thomas vel heredes sui, aut prefatus Abbas et conventus seu successores sui racione statuti predicti p nos vel heredes nostros inde occasionentur in aliquo seu graventur. Salvis tamen capitalib3 dñis feodi illius servicijs inde debitis et consuetis. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm. sexto decimo die Martis anno regni nostri decimo.

No. XXXII. *Grant by John le White, Vicar of Leyland, of a messuage and fourteen acres of land in Leyland.*

[WERDEN MS.]

Sciant presentes et futuri quod ego Johannes le White vicarius ecclesie de Lailand dedi concessi et hac presenti carta mea confirmavi dño Willmo, Dei gracia Abbati de Evesham, et eïusdem Loci conventui et eorum successoribȝ unum mesuagium et quatuordecim acras terre cum suis ꝑtinencijs in villa de Lailond, que habui ex dono et dimissione Ade de Claghton et Matildis uxoris eius et Johannis filij eorundem ꝑ recognicionem factam in curia dñi Regis. Habenda et tenenda predictis Abbati et conventui et successoribȝ suis in puram et ꝑpetuam elemosinam imꝑpetuum cum libero ingressu et egressu et omnibȝ aisiamentis que ad predicta tenementa accidere poterunt imꝑpetuum.

No. XXXIII. *De putura*(1) *in Penwortham.*

[EVESH. CH. fo. 133.]

Edwardus, Dei gracia, rex Anglie et ffrancie, et dñus Hibernie, omnibȝ ad quos presentes litere ꝑvenerint salutem. Inspeximus

(1) Puture is thus derived by Sir E. Coke. "Scotales, scotale, derived of two English words, scot and ale, as much to say as a tribute or compensation of drinking for the ministers of the forest when they came to the house of any, whereunto others are contributary within the perambulation of the forest, which then was called *potura*, a drinking. And after they claimed the same for all victuals for themselves, their servants, horses, and dogs, which was called putura; and this doth notably appear by a record 5 E. 3 in these words—

"Putura in chacea de Bowland i.e., consuetudo clamata per forestarios et aliquando per ballivos hundredorum, recipere victualia, tam pro seipsis, hominibus, equis et canibus, de tenentibus et inhabitantibus infra perambulacionem foreste seu hundredi quando eo pervenerint, nihil inde solvend. Where the Carta de Foresta speaketh Nullus forestarius seu balivus de cetero faciat scotalas &c. by the statute of 25 E. 3 it is enacted, that no forester or keeper of forest or chace, nor any other minister shall make or gather sustenance, nor other gathering of victuals, nor other thing by colour of their office against any man's will within their bailiwick or without, but that which is due of old right, that is, those fees which time out of mind they ought

tenorem recordi et ꝓcessus loquele que fuit coram dilectis et fidelibꝫ nostris Willmo de Shareshull et socijs suis Justiciarijs nostris ad diversas felonias, transgressiones, extortiones, dampna, gravamina, et excessus in comitatu Lancastrie facta audiend. et terminand. assignatis inter Abbatem de Evesham et Johannem de Radeclyf senescallum libertatis de Penwortham quem coram nobis in cancellaria nostra certis de causis venire fecimus in hec verba.

Placita apud Preston coram Willmo de Shareshull, Roberto de Hungerford, Henr. de Hambury, Symone Pakeman, justiciarijs dñi Regis ad diversas transgressiones, oppressiones, dampna, gravamina, et excessus in comitatu Lancastrie illata una cum Rogero de Hillary audiend. et terminand. assignatis die Lune in crastino sancte Trinitatis anno regni Anglie regis Edwardi tertij a conquestu septimo decimo et regni sui Francie quarto.

Lanc. §. Johannes de Radeclyf senescallus libertatis de Penwortham attachiatus fuit ad respondendum Abbati de Evesham de placito quare cum idem Abbas teneat certa terras et tenementa in Penwortham in liberam puram et ꝑpetuam elemosinam tanquam ꝑtinencia ad ecclesiam ipsius Abbatis de Penwortham absque aliquibꝫ servicijs seu alijs onerib3 inde reddendis seu alicui faciendis nisi solum-

to have within that forest, and as shall appear to be due by the oath of twelve regarders."

In the present case the Abbot complained that John de Radecliff, the steward of the liberty of Penwortham, by colour of his office claimed a puture for himself, his clerks, horses, and servants, for one day and two nights, from three weeks to three weeks, to wit in victuals, as well in drinkables as eatables, at the costs of the Priory of Penwortham. To this the defendant pleaded that he, as steward, was seised of the said puture in the Priory, that is to say, of having an easement for himself and two clerks and their horses, and for one horse carrying their harness, and their four servants, in eatables and drinkables and other necessaries at the costs of the Priory, each night before the day of the manor court day, for the whole of that day, and the next night, as belonging to his office, of which puture all the stewards had immemorially been seised. But the jury negatived this, and found that the stewards were not seised of the puture as of right, but received it from the courtesy of the Abbot and his predecessors. The Abbot also obtained from Henry, earl of Lancaster, a release of puture for the sheriffs, &c., for which see No. xxxiv.

modo preces et oraciones p animabꝫ feoffatorum suorum, predictus Johannes colore officij sui predicti injuste oneravit prioratum de Penwortham, qui est quedam cella abbacie de Evesham, clamando ibidem quandam puturam p se et ministris equis et garcionibꝫ suis p unum diem et duas noctes de tribꝫ septimanis in tres septimanas, videlicet, de victualibꝫ ut in esculentis et poculentis ad custus prioratus predicti crudeliter et per oppressionem contra voluntatem ipsius Abbatis et contra legem et statutum in huiusmodi casu pvisum ad exheredacionem ecclesie ipsius Abbatis sancti Egwyni de Evesham, et eo modo predictus Johannes continuavit oppressionem predictam, et puturam predictam injuste videlicet de tribꝫ septimanis in tres septimanas ut predictum est a festo sancti Michaelis anno regni dicti regis nunc Anglie quarto decimo usque ad diem liberationis ipsius bille, videlicet usque ad diem Lune in crastino sancte Trinitatis anno regni eiusdem dñi Regis nunc decimo septimo, ad grave dampnum ipsius Abbatis centum librarum, et inde pducit sectam &c.

Et Johannes venit et defendit vim et injuriam quando &c. Et dicit quod ipse est senescallus Isabelle regine Anglie, matris dñi regis nunc, manerij(1) sui de Penwortham ad voluntatem ipsius Regine,

(1) The manor, or rather the liberty, of Penwortham was of very large extent; and even at the present day no less than thirty-five townships ought to do service at the court of Penwortham, viz. Penwortham, Longton, Leyland, Hoghton, Eccleston, Withnell, Wheelton, Hepay, Brindle, Anderton, Standish and Langtree, Whittle in le Woods, Shevington, Charnock Richard, Charnock Gogard or Heath Charnock, Duxbury, Adlington, Cuerden, Ulnes Walton, Bretherton, Claughton, Croston, Coppull, Worthington, and Clayton in le Woods, in the Hundred of Leyland; Kirkdale and North Meoles in the Hundred of West Derby; and Warton, Newton with Scales, Elswick, Bryning with Kellesmergh, Whittingham, Carleton, Frekelton, and Hambleton, in the Hundred of Amounderness.

These townships formed part of the Barony of Penwortham, and were evidently granted by the Bussells and their successors, reserving suit and service. Direct evidence of this as to some of the townships may be found in the *Testa de Nevill*.

Warinus Bussel dedit Hamoni Pincerne in libero maritagio cum filia sua duas carucatas terre in Hocton et Echeliston. Dedit Normanno tres carucatas terre in Kyrkedale per servicium militis. Ricardus Bussel dedit filio Suani in maritagio cum sorore sua quatuor caruc. terre et dimid. in Gunolvesmore, [i.e. in Heapy, Withnell, et Wheelton]. Ric. Fiton tenet eandem terram per servic. militare de eadem baronia. Item dedit duas caruc. Ric. Spileman in maritagio cum sorore sua scil. Stanedis et Langtre. Willmus de Harewett tenet iij. caruc. in Burnul et

que quidem Regina est dña manerij de Penwortham, et idem Johannes virtute officij illius seisitus fuit de putura predicta in prioratu predicto, videlicet habendi aisiamenta p se et duob3 clericis suis et eorum equis, et p uno equo portante harnesium suum, et quatuor garcionib3 suis, ut in esculentis et poculentis et alijs necessarijs ad custus Prioratus predicti qualibet nocte precedente diem curie ipsius Regine manerij predicti tenende, p totum diem quo curia tenta fuerit, et p totam noctem illius diei, tanquam ptinente ad officium illud, de qua quidem putura omnes senescalli ipsius Regine et aliorum dñorum manerij predicti a tempore quo non extat memoria ante tempus ipsius Johannis seisiti fuerint, tanquam ptinente ad officium senescallice predicte. Et sic dicit quod ipse cepit puturam predictam racione officij sui put ei bene licuit, unde petit judicium si predictus Abbas injuriam seu extorsionem in psona ipsius Johannis in hoc casu affirmare possit.

Et Abbas dicit quod predictus Johannes cepit puturam predictam p extorsionem colore officij sui ppria, put ipse p billam suam quesitus, absque hoc quod idem predictus Johannes seu aliquis alius senescallus predicte Regine vel alterius dñi manerij predicti unquam aliqualiter huiusmodi puturam in predicto prioratu de jure habuerunt, nisi ex curialitate et libera voluntate ipsius Abbatis et predecessorum suorum et Priorum de Penwortham qui ante hoc tempora extiterunt. Et hoc petit quod inquiratur p patriam. Et Johannes similiter.

Ideo preceptum est vicecomiti quod venire faciat hic die Mercurio pximo futuro in vigilia feste corporis Cristi duodecim &c. p quos &c. Et qui nec &c. ad recogn. &c. qui tam &c. Ad quem diem veniunt tam predictus Abbas p Rogerum de Faryngton attornatum suum

in Anderton de eadem baronia. Albertus Bussel dedit Geraldo de Clayton iiijor bovatas pro homagio suo ut sit senescallus suus. Rogerus de Lascy dedit Roberto Bussel duas bovatas et duas carucatas terre in Longeton et in Leyland, et servic. duarum carucatarum in Eukeston faciendo servic. decime partis militis, &c.—*Testa de Neville*, fo. 403.

Robertus de More tenet manerium de Kirkedale cum pertin. pro tribus caruc. terre de Alicia filia comitis Lincolnie de dominio de Penwortham. Heredes Ade de Frekelton tenet de Alicia filia et herede Henrici Lacy quando Com. Lincoln in dominio et servicio maneria de Frekelton, Whityngham, Newton, Elleswike ut de feodo de Penwortham. — *Tenent. duc. Lanc.*

quam predictus Johannes in ꝑpria ꝑsona sua. Et similiter Jurati veniunt qui de assensu partium electi et jurati dicunt super sacramentum suum quod predictus Johannes de Radeclyf nec aliquis senescallus manerij predicti ante hec tempora unquam seisiti fuerint de huiusmodi putura ibidem ꝓcipienda ut de jure nisi aliqualiter ꝑ vices ad voluntatem ipsius Abbatis et predecessorum suorum et hoc solummodo ex curialitate eorundem. Et sic dicunt quod idem Johannes talem puturam ꝓcepit de Abbate predicto ipsum onerando ꝑ oppressionem et extorsionem colore officij sui adquisito ꝑ totum tempus quo idem Johannes fuit senescallus ibidem secundum quod in billa ipsius Abbatis continetur injuste ad dampnum ipsius Abbatis sexaginta solidorum. Ideo consideratum est quod idem Abbas recupet versus eum dampna sua predicta, et idem Johannes committitur gaole.

Nos autem tenorem illum ad requisicionem prefati Abbatis ꝑ presentes duximus exemplificandum. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm. quinto decimo die Februarij anno regni nostri Anglie decimo octavo, regni vero nostri Francie quinto.

No. XXXIV. *Release by Henry Earl of Lancaster of puture in the Priory of Penwortham.*

[PENWORTHAM MS.]

Henricus, Comes Lancastrie, Derbye, Laycester, Lincoln, ac senescallus Anglie omnibꝫ: Noveritis quod omnis contencio inter nos et Abbatem de Evesham de quadam putura in prioratu de Penwortham pro vicecomite et eius ministris mota fuisset. Conquevimus in hunc modum, videlicet, quod nos puturam pro vicecomite et omnibꝫ alijs ministris nostris vel heredum nostrorum dictis Abbati et successoribꝫ suis remisimus relaxavimus et quietum clamavimus. Ita quod nos nec heredes nostri puturam predictam versus dictum Abbatem in dicto prioratu vel aliquibꝫ terris et tenementis dicti Abbatis in dicto Comitatu de cetero exigere vel vendicare poterimus in futurum; set ꝑ presens fiunt preclusi imꝑpetuum. Confirmamus eciam dicto Abbati

et successoribꝫ suis ut habeant estoveria in omnibꝫ boscis nostris de Penwortham videlicet housebote et haybote ꝑ se et omnibꝫ tenentibꝫ suis in dicto comitatu ad claudend. edificand. comburend. hayas et omnia alia necessaria facienda absque ulla ꝓturbacione heredum nostrorum et ministrorum eorum. In cuius rei testimonium sigillum nostrum apposuimus. Dat. apud London in manerio nostro de Sauey in festo Sancti Katerine virginis anno regni Regis Edwardi tercij post conquestum vicesimo quarto, regni vero Francie duodecimo.

No. XXXV. *Grant by Richard Bussel, with the consent of his brothers Albert and Geoffrey, of the Church of Leyland to the Abbey of Evesham.*(1)

[WERDEN MS.]

Ricardus Bussel universis fidelibꝫ salutem. Noverit universitas vestra quod ego consilio et assensu atque bona voluntate fratrum meorum Alberti et Galfridi concessi et donavi ecclesiam de Lailanda cum omnibꝫ appenditijs suis in ꝑpetuam elemosinam ꝑ salute animarum nostrarum ecclesie de Evesham et monachis in eadem Deo servientibꝫ, ut ipsi eandem ecclesiam teneant et liberam et quietam absque omni calumpnia et reclamatione possideant. Huius donacionis

(1) The seven following deeds relate to the proceedings consequent on the appropriation of the church of Leyland to the monastery of Evesham, the endowment of a vicarage, and the rewards for that procedure. By the deed in the text the Abbey was constituted the patron of the living; the royal permission to appropriate was given by Edward III., the papal licence by Pope John XXII., and the ordinary consenting was Roger de Northburgh.

It will be interesting to contrast the value of the church at various times. In 1292, it has been seen that according to Pope Nicholas's taxation the entire living was valued at £10.

In the valuation of the ninth sheaf, fleece, and lamb, taken in pursuance of 14 and 15 Edward III., the parish of Leyland was valued at the same sum. "Inquisitio Wapn. de Leyland capta apud Lanc. die Sabbati post festum sancti Petri in Cathedra anno regni regis Edwardi tertij a conquestu xvmo coram Abbate de ffournays et socijs suis ad inquirend. et se informand. de vero valore nonarum et xvme domino Regi per duos annos concessarum in Com. Lanc. assignatis, per Adam Banastre, Ric. Banastre, Joh. de Croft, Rob. le Thorp, Will. Banastre, Ric. de Heskyn, Adam de Clayton, Adam de Andreton, Thom. Bussel, Rob. de Whalley,

isti sunt testes, Willmus presbiter de Prestona, Lidulfus presbiter de Crostona, Anewardus presbiter de Langetona, Gaufridus, Radulfus, Osbernus, capellani, Rodbertus diaconus, Osbernus filius Eadmundi, Orm. filius Magni, Warinus filius eius, Swein Child, Will. filius Alani, Uchtredus filius Swein, Orm. filius Swein, Arturus de Astuna, Swein de Penwerdham, et Ada frater eius, Sibilla et Matildis sorores Ricardi Bussel, et multis alijs.

No. XXXVI. *Licencia Edwardi tertij regis de ecclesia de Leylond.*

[Evesh. Ch. fo. 128.]

Edwardus, Dei gratia, rex Anglie, dñus Hibernie et dux Aquitanie, omnib3 ad quos presentes litere ꝑvenerint salutem. Sciatis quod de gracia nostra speciali concessimus et licenciam dedimus ꝑ nobis et heredib3 nostris quantum in nobis est dilectis nobis in Cristo Abbati et conventui de Evesham quod ipsi ecclesiam de Leylonda, Couentrensis et Lichfeldensis diocecis, que est de advocatione sua ꝑpria, ut dicitur, apꝑpriare et eam apꝑpriatam in ꝑprios usus tenere possint sibi et successorib3 suis imꝑpetuum sine occasione vel impedimento nostri vel heredum nostrorum, justiciariorum, escaetorum, vicecomitum, aut aliorum ballivorum seu ministrorum nostrorum quorum-

Will de Worthington, Ric. de Standisse, Joh. Nyghtyngal, Will. fil. Rob. de Worthington, Thom. de Noteschagh, Ric. fil. Will. de Hoghwyk, Joh. Hanson de Longton, Will. de Skoles, et Joh. de Brenworth. Qui jurati et requisiti de vero valore none garbarum, vellerum, et agnorum provenientum de singulis parochijs dicte Wapn. de primo anno dictorum duorum annorum, et certis quibusdam articulis tangentibus dictum valorem, dicunt et presentant, ut sequitur — Ecclesia de Leylanda taxatur ad decem libras: Nona garbarum, vellerum, et agnorum parochie ejusdem valet juxta verum valorem x^{li}, unde villa de Leylond respondet de L^{s}.; Eukeston de L^{s}.; Kerden de xvj^{s}. viij^{d}.; Clayton de xvj^{s}. viij^{d}.; Wythal de bosco de xvj^{s}. viij^{d}.; Wythenal cum Rothelesworth de xvj^{s}. viij^{d}.; Whelton cum Hepay de xvj^{s}. viij^{d}.; Hoghton de xvj^{s}. viij^{d}."

In the Valor Ecclesiasticus temp. H. VIII., "Rectoria de Laylonde valet in redditibus terrarum vocat. Glebe Londe per annum l^{li}. l^{s}. 6^{d}. In granis decimalibus, ibidem annuatim £47 . 0 . 6." And in addition, as hereafter stated, the tithes belonging to the vicarage were then valued at xiij^{li} vi^{s}. viij^{d}.

cunque, statuto de terris et tenementis ad manum mortuam non ponendis edito non obstante. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Glouc. vicesimo sexto die Junij anno regni nostri quarto.

No. XXXVII. *Bulla Johannis Pape* 22 *de appropriatione ecclesie de Leilond monasterio de Evesham.*(1)

[Evesh. Ch. fo. 109.]

Johannes, episcopus, servus servorum Dei, venerabili fratri Lichfeldensi et Coventrensi episcopo salutem et apostolicam benedictionem.

(1) This bull of Pope John XXII. A.D. 1331, after its formal commencement proceeds: The petition of the said Abbot and convent exhibited to us stated that, at the foundation of the same monastery, certain Catholic princes, kings of England, and others of that kingdom, for the salvation of their souls, gave to the same monastery many manors and divers possessions, for the increase of divine worship, the liberality of alms and hospitality, and for the performance of other works of piety, and also to answer some other pious burthens upon the said monastery. From which, in process of time, twenty-eight manors with three churches, which had been appropriated to them by other kings of England, and magnates of the said kingdom, were afterwards, without the fault of the said Abbot and convent, irrevocably abstracted from the said monastery. Yet the said Abbot and convent still devotedly support and diligently dispense alms, hospitality, and perform works of piety, and discharge the burthens imposed on them by the increasing malice of the world, although as before mentioned their powers have been very much diminished. They also stated, that the said monastery is situated in a champaign country, where there is a great and excessive want of wood, for supplying which defect, and for the necessary support of the said monastery, they have necessarily expended yearly a great part of the remainder of their rents. By reason whereof the residue of their goods and rents are not sufficient, without the aid of foreign assistance, for their proper support, to provide liberally for their alms, and hospitality, to exercise the works of piety incumbent on them, and to pay off the exactions, collections, the various immense taxes, and the burthens already imposed and hereafter probably to be imposed on them. Wherefore the said Abbot and convent have humbly besought us that we would, with apostolical kindness, grant and unite for ever to them and their monastery, and give to their own proper use, the parish church of Leyland in your diocese, in which, as they assert, they have the right of patronage, and have been accustomed to receive yearly from the rector of the same church for the time being thirty shillings and fourpence in the name of a pension; the profits, rents, and income of which parish church do not exceed the annual value of ten pounds sterling accord-

Sacre merita religionis in qua dilecti filij Abbas et conventus monasterij de Evesham ad Romanam ecclesiam nullo medio ꝑtinent, ordinis sancti Benedicti, Wygornensis diocesis, student Dño inclitari, necnon pietatis et caritatis opera, quib3 insistere dicuntur, exposuit ut apostolica sedes eos benigno favore consoneat, illaque gracia favorabiliter ꝓsequatur, quam eorum necessitatib3 fore conspicit oportunam. Sane exhibita nobis dictorum Abbatis et conventus petitio continebat, quod olim in fundatione ejusdem monasterij quidem Catholici principes, reges Anglie, et alij ejusdem regni ꝓceres, ꝑ suarum animarum salute, multa maneria et possessiones diversas, ad augmentum cultus divini, et elemosynarum largitionem ac hospitalitatis et alia pietatis opera in dicto monasterio facienda, necnon ad quedam alia pia onera subeunda eidem monasterio devotis mentib3 contulerunt. De quib3 ꝓcessu temporis viginti et octo maneria cum tribus ecclesijs que eis appropriata fuerunt ꝑ alios reges Anglie et magnates regni prefati subsequenter eidem monasterio absque culpa dictorum Abbatis et conventus violenter et irrecupabiliter sunt sublata. Elemosinarum tamen largitionem, hospitalitatem, et pietatis opera et onera supradicta et nonnulla alia gravia, crescente mundi malicia, eis imposita, dicti Abbas et conventus devote supportant et diligenter exercent, licet, ut premittitur, ipsorum plurimum diminute fuerint facultates. Premissis etiam adjecerunt quod in loco campestri dictum monasterium situatum

ing to the taxation *of the present* tithe now in force. We, therefore, commiserating with fatherly affection the want and poverty of the said Abbot and convent, desiring to remedy their poverty, and being inclined thereto by their supplications, do commit to your brotherhood, in which we place full trust in the Lord, and command you by these apostolical writings so far as may be to grant the said parish church with all its rights and appurtenances to the said Abbot and convent, and through them for ever to be united and annexed by our authority to the said monastery to their own proper uses: So that the present rector resigning or dying, or the said church by other means becoming vacant, the said Abbot and convent by themselves or their proctor may freely take and hold corporal possession of the said church and its rights and appurtenances aforesaid; your or any other licence in that behalf not being necessary: a fitting portion being nevertheless reserved from the profits of the said church for the institution of a perpetual vicar there, to serve the said church, from which he may be properly supported, may pay the episcopal dues, and support the other incumbent burthens, &c.

existit, ubi est magna lignorum caristia excessiva, p quorum defectu supplendo ad necessitatem dicti monasterij supportandam ipsos magnam partem residuorum suorum reddituum oportet expendere necessario annuatim, et nonnullos alios defectus in rebus alijs occasione huiusmodi sustinere. Propter que residua ipsorum bona et redditus qui eis supersunt, absque extrinsece ꝑvisionis remedio, non sufficiunt ad congruam sustentacionem ipsorum elemosinarum largicionem hospitalitatem servandam, ac pietatis opera, eis incumbentia, exercenda, et ad cognoscenda imposita jam eis onera et imposterum verisimiliter imponenda ad exactiones et collectas et tallias varias immenses. Quare dicti Abbas et conventus nobis humiliter supplicaverunt, ut parochialem ecclesiam de Leyland tue diocesis, in qua, sicut asserunt, jus obtinent patronatus, et a rectore ejusdem ecclesie qui est ꝑ tempore triginta solidos et quatuor denarios sterlingorum, nomine pensionis, consueverunt ꝑcipere annuatim, cuiusque parochialis ecclesie fructus redditus et ꝑventus decem librarum sterlingorum, secundum taxacionem decime nunc currentis, valorem annuum non excedunt, eis et dicto monasterio imꝑpetuum annectere et unire et in usus ꝑprios concedere eorundem, de benignitate apostolica curaremus. Nos igitur dictorum Abbatis et conventus inopie et pauꝑtatis paterno compacientes affectu, eorumque ꝑpterea cupientes indigentiam subvertere, eorum supplicationib3 inclinati, fraternitati tue, de qua plenam in dño fiduciam gerimus, ꝑ apostolica scripta committimus et mandamus quatinus, si est ita, predictam parochialem ecclesiam cum omnib3 jurib3 et ꝑtinencijs suis prefatis Abbati et conventui et ꝑ eos dicto monasterio auctoritate nostra imꝑpetuum unitas et connectas jam in usus eorum ꝑprios concedendo. Ita quod, cedente vel decedente rectore eiusdem ecclesie, qui nunc est, vel dicta ecclesia alio modo vacante, dicti Abbas et conventus ꝑ se vel ꝑcuratorem suum corporalem possessionem ejusdem ecclesie et jurium et ꝑtinencium predictorum possint libere apprehendere et tenere, tua vel alterius cuiuscunque licentia sup hoc minime requisita. Reservata tamen de ꝑventib3 ipsius ecclesie ꝑpetuo vicario ꝑ te instituendo in ea inibi servituro, congrua portione, ex qua possit commode sustentari, jura episcopalia solvere, et alia incumbentia onera supportare, contradictores, auctoritate vestra, ap-

pellacione postposita, compescendo; Non obstante si aliquis sup ꝑvisionib3 sibi faciendis de hujusmodi vel alijs ecclesijs aut beneficijs ecclesiasticis in illis partib3, speciales vel generales dicte sedis vel legatorum eius literas impetravit, eciam si ꝑ eas ad inhibitionem reservationem et decretum vel alias quomodolibet sit ꝑcessum, quas literas et ꝑcessus habitos ꝑ easdem, si est ita, et ꝑ te dictam unionem fieri contigerit ad predictam ecclesiam volumus non extendi. Set nullum ꝑ hoc eis quoad executionem ecclesiarum et beneficiorum aliorum prejudicium generari si Lichfeldensi et Coventrensi episcopo qui erit ꝑ tempore, vel quib3vis communiter vel divisim ab eadem sit sede indultum quod interdici, suspendi, vel excommunicari non possint, quodque de huiusmodi ecclesijs vel alijs beneficijs ecclesiasticis ad eorum collacionem, ꝑvisionem, presentacionem, seu quamvis aliam dispositionem, conjunctim vel separatim, spectantib3 nulli valeat provideri, vel de ipsis quoquo modo disponi, ꝑ literas apostolicas non facientes plenam vel expressam ac de verbo ad verbum de indulto huiusmodi mentionem, et quelibet alia dicte sedis indulgentia generali vel speciali cuiuscunque tenoris existat perque presentib3 non expressam vel totaliter non insertam effectus presentium impedire valeat quomodolibet vel differri, et de qua cuiusque tenore habenda sit in ipsis literis mentio specialis. Nos insuper, si est ita, et huiusmodi contingat fieri unionem irritum decrevimus et inane, si secus sup hijs quoquodictam quamvis auctoritate scienter vel ignoranter contigerit attemptare. Datum Kinior. idus Januarij pontificatus nostri anno quinto decimo.

No. XXXVIII. *Grant by the Abbot and Convent of Evesham of a pension of forty shillings to the Bishop of Coventry and Lichfield.*

[Evesh. Ch. fo. 191.]

Omnibus Cristi fidelib3 ad quorum notitiam presentes litere ꝑvenerint, Abbas Eveshamie et eiusdem Loci conventus salutem in Dño sempiternam. Salvatori nostro eos devocius estimamus placere, qui, ad honorem Dei et divini cultus augmentum, nobis in nostris oppressionib3 succurrunt. Verumque illis ab eisdem oppressionib3 carita-

tive beneficiorum largicione satagunt relevari grati fuerimus ut tenemur. Sane cum nuper venerabilis in Cristo pater dñus Rogerus Dei gracia Coventrensis et Lichfeldensis episcopus, debito servato ꝓcessu qui requirebatur in hac parte, ecclesiam de Leyland, nostri patronatus et sue diocesis, cum suis juribꝫ et ꝑtinencijs universis nobis et monasterio nostro de Evesham auctoritate apostolica appꝓriaverit, univerit, connexerit, ac in ꝓprios usus concesserit imppetuum possidendam. Nos volentes eidem patri et successoribꝫ suis ipsum possimus debiturum reddere repensum ipsi Patri et successoribꝫ suis Coventren. et Lichfeld. episcopis quadraginta solidos argenti annue pensionis ꝓ indempnitate sua et ecclesia sua in festo Annuncionis beate Marie de Priore nostro de Penwortham, qui ꝓ tempore fuerit, ꝓcipiendos imppetuum concedimus ꝓ presentes. In cuius rei testimonium sigillum nostrum presentibꝫ est appensum. Dat. in capitulo nostro Eveshamie in festo sancti Bartholomei apostoli anno dñi M.CCC°. XXXJ°.(1)

(1) There is another, but an imperfect, transcript of this grant in the Evesham Chartulary, fo. 162, in these words: Omnibus Cristi fidelibus hoc presens scriptum visuris vel audituris Willmus permissione divina Abbas de Evesham et eiusdem Loci conventus salutem in domino sempiternam. Sane cum nuper venerabilis in Cristo pater dominus Rogerus Dei gracia Coventrensis et Lichfeldensis episcopus, debito servato processu, qui requirebatur in hac parte, ecclesiam de Leyland nostri patronatus et sue diocesis, cum suis juribus et pertinencijs universis nobis et monastorio nostro de Evesham auctoritate apostolica appropriaverit, univerit, connexerit, ac in proprios usus concesserit imperpetuum possidendam. Nos volentes eidem Patri et successoribus suis quod possimus debiturum reddere repensum nostro patri et successoribus suis Coventrensis et Lichfeldensis episcopis quadraginta solidos argenti annue pensionis pro indempnitate sua et ecclesia sua in festo Annunciacionis beate Marie de Priore nostro de Penwortham qui pro tempore fuerit percipiendos imperpetuum concedimus per presentes.

Dr. Burn remarks: "Before the making appropriation, an annual pension was reserved to the Bishop and his successors, commonly called an indemnity, and payable by the body to whom the appropriation was made. The ground of which reservation, in an ancient appropriation in the registry of the archbishop of Canterbury, is expressed to be for a recompence of the profits which the bishop would otherwise have received during the vacation of such churches."

No. XXXIX. *Ordinatio domini Rogeri Lichfeldensis et Coventrensis Episcopi de vicaria de Leyland.*(1)

[EVESH. CH. fo. 191.]

Universis sancte matris ecclesie filijs presentes literas inspecturis, Rogerus ꝑmissione divina Coventrensis et Lichfeldensis episcopus salutem in amplexibꝫ salvatoris. Nuper ecclesiam parochialem de Leyland nostri diocesis religiosis viris Abbati et conventui de Evesham, Wygornensis diocesis, et eorum monasterio juxta formam literarum apostolicarum nobis in hac parte directarum, habito processu qui requiritur, univimus et coanneximus, et in eorum usus proprios eis

(1) This is the present endowment of the vicarage of Leyland, which may be favourably contrasted with the endowment by the same bishop of the vicarage of Whalley, in the *Coucher Book of Whalley*.

After the usual commencement, it recites that the Bishop had lately, according to the form of letters apostolical to him in that behalf directed and the process which is required in that respect, united and annexed the parish church of Leyland in his diocese to the religious men the Abbot and convent of Evesham in the diocese of Worcester and to their monastery, and had granted it to be possessed by them to their own use; there being reserved from the proceeds of that church for a perpetual vicar to serve in the same church a fitting portion, from which he might be maintained, pay the episcopal duties, and support the other incumbent burthens, as contained in the said letters apostolical. But that the said vicarage was not allotted in certain proportions. And it proceeds: "We therefore have with the consent of the said religious allotted the said vicarage in the undermentioned portions, that is to say, that the Vicar of the said church may have for his manse (vicarage) a moiety of the manse of the rectory of the same with the houses now built on the southern side, and one bovate of land in the township of Leyland with all its easements and appurtenances whatsoever; of which land the vicars for the time being shall not be bound to pay tithe. He also shall take the tithe of wool, lambs, hay, flax, and hemp of the whole parish, together with all and singular the small tithes in any wise belonging to the altar offerings, also Peter's pence, and the oblations in the church itself and in the said parish in any wise to be made. Moreover we ordain that the vicar for the time being shall at his own proper costs minister in divine services and offices to the said church and the parishioners of the same. He shall also pay the synodals and archidiaconal procurations, and St. Peter's pence, and forty shillings annually in the name of a pension to the said Abbot and convent, the rectors of the said church, to be paid in equal portions at Leyland at the feasts of All Saints and the nativity of John the Baptist. But the

concessimus possidendam, reservata in ipsius ecclesie ꝑventib3 ꝑpetuo vicario in eadem servituro congrua porcione, ex qua possit commode sustentari, jura episcopalia solvere, et alia incumbentia onera supportare, ꝑut in prefatis literis apostolicis continetur. Veroque ipsa vicaria nondum est in certis porcionib3 ordinata. Nos ipsam vicariam de consensu dictorum religiosorum in porcionib3 subscriptis sic duximus ordinandam, videlicet quod Vicarius dicte ecclesie habeat ꝑ manso suo medietatem mansi rectorie ejusdem cum domib3 nunc edificatis in parte australi, ac unam bovatam terre in villa de Leylond cum suis aisiamentis et ꝑtinencijs quib3cunque, de qua quidem terra vicarij qui ꝑ tempore fuerint decimam solvere minime teneantur. Percipiet et decimam lane, agnorum, feni, lini, et canabis, totius parochie, una cum minutis decimis omnib3 et singulis ad altaragium qualitercunque spectantib3, et denarios sancti Petri, ac oblaciones in ipsa ecclesia et parochia predicta quomodolibet faciendas. Ordinamus insuper quod Vicarius, qui ꝑ tempore fuerit, prefate ecclesie et parochianis eiusdem in divinis obsequijs et officijs suis sumptib3 congruis faciat ministrari. Solvet et sinodalia et ꝑcurationes archidiaconi

rectors of the said Church must undertake and take upon themselves the other burthens whether ordinary or extraordinary in any wise belonging to the said church. Given at Ichinton the day before the nones of February A.D. 1331, and the eleventh of our consecration.

In the Valor Eccles. temp. Hen. VIII. the vicarage is thus stated:

Laylond vicaria — In manibus Edwardi Molineux capellani, valet in redditu domus mansorum per annum	vi^{s} viij^{d}		
in decimis feni, lane, agnorum, vitulorum, lini, cum rotulo pasche cum oblationibus	xiij	vi	viij
Summa valoris	xiij	xiij	iiij
Inde in pensione annuatim solut. Priori de Penwortham	ij		
Et in denarijs, solutis Arch. Cestrie pro sinodal. et procurac.		xiij	iiij
et remanet clare	xj		

In Bishop Gastrell's *Not. Cestr.* it is there noticed: "Lealand about 100^{l} per annum, viz. small tyths, Easter dues and Surplice fees near 60^{l} per annum, besides which there is an estate of about 40^{l} per annum called Leyland Hall given to it by y^{e} Crown Dec. 11. 1690."

consueta, et denarios sancti Petri, ac quadraginta solidos annuatim nomine pensionis dictis Abbati et conventui rectoribꝫ ecclesie memorate solvendos apud Leylond in festis omnium Sanctorum et nativitatis sancti Johannis Baptiste p equales porciones. Cetera vero onera sive ordinaria sive extraordinaria superius non expressata eidem ecclesie qualitercunque incumbentia dicte ecclesie rectores subeant et agnoscant. Dat. apud Ichinton pridie nonas ffebruarij anno dñi MCCCXXXj. et consecracionis nostre decimo.

No. XL. *Grant by John le White, perpetual vicar of Leyland, of a pension of forty shillings to the Abbot and Convent of Evesham.*

[COTTON. VESPASIAN B. XXXVI. fo. 22.]

Ego Johannes le White vicarius ppetuus ecclesie de Leyland Couentrensis et Lichfeldensis diocesis in presentia dñi Willmi Dei gracia Abbatis de Evesham, fratrum Petri de Wyke, Johannis de Alcester et Willmi de Clifton, comonachorum dicti Abbatis, et Johannis le Rous, senescalli dicti Abbatis, in aula ipsius Abbatis apud Evesham psonaliter constitutus, pvisus, quod quadraginta solidos argenti, nomine pensionis annue, singulis annis ad terminos subscriptos apud Leyland eidem Abbati et successoribꝫ suis fideliter psolvam quamdiu vicarius fuero ecclesie antedicte, videlicet, ad festum omnium Sanctorum viginti solidos, et ad nativitatem sancti Johannis Baptiste viginti solidos. Ad quod fideliter et sine difficultate faciendum post meam canonicam institutionem sponte sacramentum prestiti corporale. In cuius rei testimonium sigillum meum presentibꝫ est appensum. Dat. apud Evesham secundo die Octobris anno dñi millesimo trecentesimo tricesimo secundo.

No. XLI. *Assignatio ecclesie de Leyland.*

[EVESH. CH. fo. 158.]

Omnibꝫ Cristi fidelibꝫ presens scriptum visuris vel audituris Willmus de Chyryton, pmissione divina, Abbas monasterij Eveshamie salutem in Dño sempiternam. Cum nos dudum dilectorum filiorum

et fratrum nostrorum Prioris et conventus nostri indigentiam advertentes ad ipsorum indigentie relevamen, de consensu unanimi eorundem concesserimus, et p nobis et successorib3 nostris imppetuum assignaverimus, Priori et conventui nostro supradictis ecclesiam de Leylond cum suis jurib3 et ptinencijs, Coventrensis et Lichfeldensis diocesis, secundum eorundem ordinacionem, put melius viderint expedire, inter ipsos disponendam et expendendam, quam ecclesiam inter alia p nos adquisita monasterio nostro supradicto in pprios usus ppetuo possidendam, adiuvante Dño, canonice adquisiverimus. Considerantesque postea ecclesiam de Ombresleye, Wygornensis diocesis, similiter modo monasterio nostro p nos appropriatam fuisse Priori et conventui nostri supradictis in novem decim marcis et dimidiam pensionariam ab antiquo; volentesque Priori et conventui de ipsa sua porcione competentiori modo quo possemus imppetuum pvideri, concessionem et assignacionem predicte ecclesie de Leyland cum suis jurib3 et ptinencijs de consensu unanimi dictorum Prioris et conventus nostri revocantes, ac ipsam ecclesiam nobis et successorib3 nostris imppetuum reservantes, ecclesiam de Ombresleye supradictam cum suis jurib3 et ptinencijs universis et onerib3 sibi attinentib3 Priori et conventui nostro predictis, ad eorundem indigentie relevamen et suam pensionem predictam sine difficultate optinendam, concedimus et p nobis et successorib3 nostris imppetuum assignamus. Volunt siquidem et concedunt Prior et conventus antedicti quod singulis ebdomedis imppetuum unus monachus de conventu intabuletur ad celebrandum p anima nostra et fratrum nostrorum defunctorum in ecclesia nostra Eveshamie eo ordine quo intabulatur ebdomedarij majoris misse, et quod unusquisque sic intabulatus pcipiat p ebdomedam duos solidos argenti de bursaria conventus. Concedimus similiter dicti Prior et conventus quod ipsi inveniant imppetuum p anima dñi Nicholai de Baddesleye defuncti conventui pitanciam et sacerdotem celebraturum secundum quod Abbas et successores sui tenebantur invenire. In cuius rei testimonium sigillum nostrum una cum sigillo capituli nostri presentib3 est appensum. Dat. in capitulo nostro supradicto duodecimo die mensis Novembris anno dñi millesimo ccc^mo^ quadragesimo quarto.

No. XLII. *Concessio ecclesie de Leyland.*

[Evesh. Ch. fo. 158.]

Hec indentura testatur quod, primo die Junij anno dñi millesimo ccc^mo^ quadragesimo septimo, Nos Willmus de Boys ꝑmissione divina Abbas Eveshamie de consensu unanimi Prioris et conventus nostri in presentia venerabilis nostri Magistri Thome de Osteleye canonici Sarisburie concessimus ordinavimus et assignavimus ꝑ nobis et successoribꝫ nostris imꝑpetuum Priori et conventui predictis ꝑ omnibꝫ bonis adquisitis et ecclesijs apꝑpriatis nobis et conventui nostro ꝑ bone memorie dños Johannem de Brokhampton et Willmum de Chyryton quondam Abbates de Eveshamie, predecessores nostros, ecclesiam de Leylond, Coventrensis et Lichfeldensis diocesis, cum omnibꝫ juribꝫ et ꝑtinencijs suis, ad dicti Prioris et conventus indigentiam sullevandam, secundum dicti Prioris et conventus ordinacionem. Concessimus insuper et assignavimus ꝑ nobis et successoribꝫ nostris imꝑpetuum predictis Priori et conventui ꝑ recreacione et solatio eorundem, de Prioris licencia habenda, quandam particulam gardini inferioris, qui dicitur Stordy, ꝑut ꝑ certas metas limitatur. Confirmantes ac ratas et gratas habentes concessionem et assignacionem predicti dñi Abbatis predecessoris nostri de terris et tenementis in Baddeseye dictis Priori et conventui factas, et eciam omnes concessiones et assignaciones ꝑ nobis et successoribꝫ nostris imꝑpetuum singulis monachis nostris de misericordia singulos panes albos notatos Treytates, et eciam singulis monachis nostris de cursu sanguine(1)

(1) Phlebotomy, says Mr. Fosbrooke, was much in fashion in the middle ages; for, in the fifteenth century, it was the subject of a poem. Robert Boutevylleyn, who, in the language of the records of Pipewell Abbey, "monachos de Pipewella in multis infestavit atque vexavit," claimed in right of founder's kin, amongst other vexatious demands, quatuor minuciones per annum infra Abbatiam. Notwithstanding this, he seems to have behaved in such a manner that "omnes et singuli quasi alterum Herodem eum timuerunt." It might be supposed that in such a case the claim of bloodletting would have been acceded to without difficulty. Ducange has preserved the formula of bleeding in the order of St. Victor. Iste est ordo minuendi. Quinquies in anno fient generales minuciones, extra quas sine periculo gravis

minutorum dum tamen non fuerint de misericordia singulos panes huiusmodi Treytatis imppetuum. In quorum omnium testimonium sigillum nostrum una cum sigillo nostro communi uni parti huius indenture penes Priorem et conventum remanenti et sigillum Prioris nostri una cum dicto sigillo nostro communi alteri parti penes nos remanenti alternatim sunt appensa. Datum in capitulo nostro Eveshamie die et anno supradictis.

No. XLIII. *Lease by William, Abbot of Evesham, of lands in Farington, to Robert son of John de ffarington.*

[PENWORTHAM MS.]

Omnib3 Cristi fidelib3 hoc scriptum visuris vel audituris, Willmus Dei gracia Abbas Eveshamie et eiusdem Loci conventus salutem in dño. Noverit universitas vestra nos concessisse et tradidisse Roberto fil. Johannis de ffarington sex acras et unam rodam terre in ffarington, infra has divisas, incipiendo ad divisam de Layland, sic sequendo per unam fossam usq. ad communem exitum ville de ffarington, et sic descendendo per exitum ville usque ad divisam de Erneshalgh, et

infirmitatis licentia minuendi nulli omnino conceditur. Propteres enim tam sæpe conceditur, ne ab aliquo, exceptis his temporibus, superfluo regulariter requiretur. Prima est in Septembri, secunda est ante Adventum, tertia est ante Quadragesimam, quarta est post Pascham, quinta post Pentecosten . . . . tribus diebus Minucio durabit. Post tertiam diem ad Matutinas venient, et de cetero in conventu erunt; sic que die quarta in capitulo absolucionem accipient. In the order of St. Gilbert of Sempringham there were minute and stringent rules laid down for the proper observance of the process. See 6 *Dugd. Mon.* 945, xxxv., reg. xxxiv. The time of bloodletting was looked upon in some monasteries as a festival. In one, because fire was allowed in the infirmary; in another, because the monks were permitted to have meat; and Ducange says, "In minucionibus vero habeant minuti in infirmarijs a Priore pitanciam singulis diebus per tres dies." (Ducange, in voce *Minuere.*) And here, the monks, while under the operation, had loaves evidently of a superior quality, and most probably of the description called by Ducange, in voce, panis de Treit, or wastel bread. In this particular instance £6. 18s. were assigned from the churches of Baddesy and Ombresleye, quod inter sanguine minutos singulis annis imperpetuum pro eorum expensis in suis sanguine minucionibus faciendis portionabiliter dividantur. And it will be seen hereafter that a sum of sixty shillings was assigned by Ralph de Wylicote, Prior of Penwortham, towards the expenses of bloodletting.

sic descendendo p̄ divisam de Erneshalgh usq. ad predictam divisam de Laylond; et unam acram infra unam fossam inter exitum ville et ripam de Lostok et divisas de Erneshalgh. Habendas et tenendas predictas septem acras et unam rodam terre de nobis et successoribꝫ nostris predicto Roberto et heredibꝫ suis de corpore suo legitime p̄creatis imppetuum. Reddendo inde annuatim nobis et successoribꝫ nostris sex solidos argenti ad duos anni terminos, videlicet ad festum natalis Dñi et ad festum sancti Johannis Baptiste p̄ equales porciones. Et si contingat dictum Robertum absque herede de corpore suo legitime p̄creato in fata decedere, terre et tenementa predicta absque alicuius contradictione ad nos et successoribꝫ nostris plenarie revertantur. In cuius rei testimonium huic scripto indentato sigilla nostra alternatim apposuimus. Hijs testibꝫ, Roberto de Schyrborn, Willmo de ffaringtón, Rogero de ffaringtón, Willmo de Hougwyk, Ada de Hougwyk, et alijs.

No. XLIV. *Confirmation by the Abbot and Convent of Evesham, of certain demises made by the Prior of Penwortham of lands in Faringtón.*

[PENWORTHAM MS.]

Universis Cristi fidelibꝫ hoc scriptum visuris vel audituris, Johannes(1) p̄missione divina Abbas Eveshamie et eiusdem Loci conventus salutem in Dño sempiternam. Noveritis nos concessisse et presenti scripto confirmavisse Johanni filio Thome de Cleytona duas acras terre de vasto nostro de ffarintone que jacent in mussas sibi et heredibꝫ suis de corpore suo exeuntibꝫ. Tenendas pro duobꝫ solidis quos predictus Johannes et heredes sui nobis et successoribꝫ nostris ad duos terminos annuatim p̄solvent, videlicet ad Natale Dñi duodecim denarios, et ad festum sancti Johannis Baptiste duodecim denarios. Concessimus etiam et confirmavimus hominibꝫ subscriptis terras subscriptas in eadem villa, que p̄ fratrem Philippum de Neldesle quondam custodem de Penwortham, tradite fuerant et dimisse,

(1) Id est, Johannes de Brokehampton, who succeeded to the Abbacy in August 1282, and retained it until his death in September 1316.

videlicet predicto Johanni de Cleytone v. acras, et Ricardo de Ecclestone xij. acras, et Rogero filio Ricardi filij capellani decem acras et octavam partem unius acre, et Symoni Balle duas acras et dimidiam, et Albino filio vidue v. acras et dimidiam et xv. pticas terre, et Johanni filio seniori Ricardi de Gayrestang sex acras et tres rodas, et Johanni filio juniori eiusdem Ricardi de Gayrestang unam rodam; et Ricardo de Halshawe tres acras; et Roberto de Ledberewe duas acras et unam rodam et xiiij. pticas terre; et Willmo filio Willmi filij Ecke quatuor acras; et Ade de Rudigge undecim acras et dimidiam. Habendas et tenendas omnes predictas terras prenominatas et prescriptis Johanni, et Ricardo, et Rogero, et Symoni, et Albino, et Johanni, et Johanni, et Ricardo, et Roberto, et Willmo, et Ade, et heredib3 de corporib3 eorum exeuntib3 bene et in pace imppetuum; omni semper alienacione exclusa. Reddendo inde annuatim nobis et successorib3 nostris pro qualibet acra viij. denarios ad duos anni terminos, videlicet ad natale Dñi iiij. denarios, et ad festum sancti Johannis Baptiste iiij. denarios, et qui minores porciones prescriptas tenuerint, juxta quantitatis exigentiam ad dictos duos terminos annuum redditum nobis et successorib3 nostris psolvent. Omnes etiam predicti tenentes facient sectam ad molendinum nostrum de ffaringtone, et ad curiam nostram de Peneworthan quociens premoniti fuerint, et alia servicia debita et consueta. Et ut hec nostra concessio et presentis scripti indentati confirmacio rata pmaneat et stabilis, sigillum capituli nostri eidem apposuimus. Hijs testib3, Rob. de Scyrburn senescallo, Willmo de Eukestone, Ada de Chernok, Willmo de Standiss, Thoma de Longetre, Johanni Banastre, et alijs.

No. XLV. *Lease by Ralph de Wylicote, Prior of Penwortham, to Robert Straytburel and Ralph his brother, of nine acres and a half of land in Farington for life, at a rent of nine shillings and sixpence.*

[PENWORTHAM MS.]

Hec indentura testatur quod ego ffrater Radulphus de Wylecote

Prior de Penewortham concessi tradidi et ad firmam dimisi nomine Abbatis et conventus de Evesham Roberto filio Henrici Straytburel et Radulpho fratri eius ad totam vitam eorum novem acras et dimidiam et octodecim pticatas terre jacentes in ffaryngton juxta terram quam Ric. de Clyf tenet de Abbate et conventu de Evesham in eadem villa. Habend. et tenend. predictas novem acras et dimidiam et octodecim pticatas terre cum suis ptinencijs dictis Roberto et Radulpho ad totam vitam eorum et diu vixerint de Abbate et conventu de Evesham cum turbaria tante terre et omnib3 alijs aisiamentis in villa de ffaryngton ptinentib3. Reddendo inde p annum novem solidos et sex denarios argenti Priori de Penwortham qui pro tempore fuerit at duos anni terminos, videlicet ad festum nativitatis sancti Johannis Baptiste et natalis Dñi p equales porciones. In cuius rei testimonium sigilla nostra hijs indenturis alternatim apposuimus. Dat. apud Penewortham die Lune pximo post festum apostolorum Petri et Pauli anno regni regis Edwardi tertij a conquestu quinto decimo.

No. XLVI. *Lease by Ralph de Whateley, Prior of Penwortham, of certain lands in Faryngton.*

[WERDEN MS.]

Hec indentura testatur quod ego frater Radulphus de Whateley Prior de Penwortham concessi et ad firmam dimisi Roberto filio Roberti filij Ricardi de Preston de ffarington ad totam vitam suam unum mesuagium et undecim acras terre que et quas Robertus filius Ricardi pater predicti Roberti quondam tenuit in villa de ffarington. Concessi etiam predicto Roberto ad totam vitam suam unum mesuagium et decem acras terre jacentes in Stadisth, et unum pratum quod vocatur Gatecrofte medo. Habend. et tenend. omnia predicta mesuagium terras et tenementa cum suis ptinencijs predicto Roberto ad totam vitam suam libere quiete bene et in pace cum communi pastura et cum turbaria et cum omnib3 libertatib3 tante terre in villa de ffarington ptinentib3. Reddendo inde annuatim predicto Roberto ad totam vitam suam Priori de Penwortham, qui pro tempore fuerit,

p qualibet acra undecim acrarum vj. denarios, et p qualibet acra decem acrarum vij. denarios, et p prato prenominato xij. denarios, ad duos anni terminos, videlicet unam medietatem ad festum Natalis Dñi, et aliam medietatem ad festum Natalis sancti Johannis Baptiste p equales porciones. ffaciendo alia servicia sicut ceteri tenentes ville de ffarington faciunt. In cuius rei testimonium hijs indenturis partes alternatim sigilla sua apposuerunt. Hijs testibꝫ, Willmo de ffarington, Johanne de Langton, Johanne de Clayton, Rob. de ffarington, et alijs multis. Dat. apud ffarington die dñica post epiphaniam anno regni regis Edwardi tertij post conquestum vicesimo tertio.

No. XLVII. *Lease by William de Mershton, Prior of Penwortham, to Henry Hoghwyk, Alice his wife, and William their son, of a right of common in the Waste of ffarington, and of a messuage at Kylnefeld.*

[PENWORTHAM MS.]

Sciant presentes et futuri quod ego Willmus de Mersehton prior prioratus de Penwortham et ꝑcurator religiosorum virorum Abbatis et conventus de Evesham, Wygornensis diocesis, ab ipsis Abbate et conventu sufficienter suffultus, concessi et hoc presenti scripto confirmavi Henrico de Hoghwyk de ffaryngton, Alicie uxori eius, et Willmo filio eorundem Henrici et Alicie, liberam communam in omnibꝫ vastis de ffaryngton sibi et tenentibꝫ cuidam mesuagio in quodam campo predicti Henrici vocato Kylnefeld p ipsum de novo edificato cum sufficienti turbaria mosse de ffaryngton fodend. cariand. et comburend. una cum libero introitu et exitu in communi pastura de ffaryngton. Habend. et tenend. eisdem Henrico Alicie et Willmo et assignatis suis durante vita eorum et cuilibet eorum diutius viventi quiete bene et in pace. Reddendo inde annuatim Priori de Penwortham ꝑcuratori predictorum Abbatis et conventus et successoribꝫ suis apud Penwortham p tempore existenti unam granam pipis ad festum nativitatis sancti Johannis Baptiste. In cuius rei testimonium huic presenti scripto sigillum meum apposui. Hijs testibꝫ,

Johanne de ffaryngton juniori, Johanne de ffaryngton seniori, Joh. Clayton juniori, Rob. Pynynton, et alijs. Dat. apud ffaryngton in festo sancti Augustini Anglorum episcopi anno regni Regis Ricardi secundi post conquestum sexto.

No. XLVIII. *Lease by Thomas Newbold, Prior of Penwortham, of lands in ffaryngton, at a rent of seven shillings and threepence.*

[PENWORTHAM MS.]

Hec indentura facta die Martis ꝑximo ante festum Apostolorum Simonis et Jude anno regni Regis Ricardi secundi post conquestum nono inter Thomam Newbold Priorem de Penwortham ex parte una et Henricum Howyk de ffaryngton ex parte altera: Testatur quod predictus Thomas tradidit concessit et dimisit prefato Henrico Howyk et Alicie uxori sue sexdecim acras et dimidiam acram terre arabilis cum dimidia acra prati in Faryngton predicta, que quidem sexdecim acre terre arabilis cum dimidia et cum dicta dimidia acra prati quondam fuerunt recupate ab eodem Henrico ꝑ assisam nove disseisine. Habend. et tenend. predictas sexdecim acras terre arabilis cum dimidia acra terre arabilis et cum dimidia acra prati ad totum terminum vite predictorum Henrici et Alicie de predicto Thoma et successoribꝫ suis ꝑ servicium septem solidorum et trium denariorum solvend. annuatim durante vita Avicie quondam uxoris Thome Dykinnessone prefato Thome et successoribꝫ suis ad Natale Dñi et ad festum nativitatis sancti Johannis Baptiste equis porcionibꝫ, et faciendo sectam curie Prioris antedicti de tribꝫ septimanis ad tres, et sectam molendini eiusdem Prioris. Ita tamen quod post decessum predicte Avicie dictus Henricus et Alicia uxor eius solvent annuatim Priori de Penwortham, qui ꝑ tempore fuerit, durante vita eorundem, quatuordecim solidos et sex denarios bone monete Anglie ad predictos anni terminos et sectas curie et molendini eiusdem Prioris modo et forma supradictis. Et post decessum predictorum Henrici et Alicie dicte sexdecim acre et dimidia acra terre arabilis cum dimidia acra prati et omnibꝫ suis ꝑtinencijs ad Priorem

de Penwortham, qui p̄ tempore fuerit, et successores suos integre revertantur imppetuum absque contradictione et calumpnia cuiuscunque. In cuius rei testimonium partes predicte presenti indenture sigilla sua alternatim apposuerunt. Hijs testib3, Johanne de ffaryngton, juniore, Johanne Adamesson de Clayton, Rogero Penketh, Johanne Noteschagh, et alijs. Dat. apud Penwortham die et anno supradictis.

No. XLIX. *Release by John son of William de ffaryngton, to the Abbot of Evesham and Prior of Penwortham, of a grange and land near the cemetery in Leyland.*

[WERDEN MS.]

Noverint universi per presentes me Johannem filium Willmi de ffaryngton sursum reddidisse Abbati de Evesham et Johanni de Gloucester Priori de Penwortham et successorib3 suis imppetuum, unam grangiam, unam rodam, et octo p̄ticatas terre cum suis p̄tinencijs in villa de Leylond jacentes juxta cimiterium ecclesie de Leylond, inter terram eiusdem Abbatis ex una parte, et terram vicarij de Leylond ex altera parte. Habendas et tenendas predictas grangiam et terram cum suis p̄tinencijs in villa predicta predictis Abbati et Priori et successorib3 suis imppetuum, de capitalib3 dñis feodi illius p̄ servicia inde debita et de jure consueta. In cuius rei testimonium presentib3 sigillum meum apposui. Dat. apud Leylond die Lune in septimana Pentecosten anno regni Regis Ricardi secundi vicesimo.

Indorsed: Johes ffarington relaxauit Abbati de Evesham et Johanni Gloucester priori de Penwortham pro orreo de Leyland.

No. L. *Agreement between the Prior of Penwortham and William de ffforshagh concerning a road to the Common of Penwortham.*

[PENWORTHAM MS.]

Cest endenture tesmoigne qe come certeyn debates furount mouez pentre Johan de Glaucester Priour de Penwortham dun part et William de fforshagh dautre part touchant un chemyn quil le dit Johan clayme davoir dun champe qest appelle le Ro p my un champe quest appelle le Gargape del heritage le dit William desquez al comune de Penwortham. Et sur ce lez ditz Johan et William sount acordez en cest fourme qe le dit William ad graunte a dit Johan et ses successours a loure conge pur auoir la dit chemyne pur carier touz ces bleez et feyne cressantz en le dit Ro al volounte le dit Johan et ses successours sanz distourbance de dit William quant qe lez dit Johan ou cez successours ou ascunz en lour nome demaundont conge de dit William et nemy altrerent tout ditz puruew qe le dit Johan et ces successours et lour tenantz ferront tiel claustre de dit Gargape la ou ils passont pmys ou lours cariages issint qe le dit William ne soit damage de sez bleez et herbes cressantz en le dit champe appelle le Gargape p voie del cariage del dit Johan ou cez successours ou lour tenantz. Et si issint soit qe le dit William soit damage en ces bleez ou herbes cressantz en le dit champe appelle le Gargape p le cariage del dit Johan ou ces successours adonques ils serrount greez a dit William et sufficiant emendacion al ordinanz dez bonez gentz del vile de Penwortham. Et a toutz y ceux couenantz bien et lealment pformer en toutz poyntz les parties auauntditz entrechangeablement ount mys lours sealez. Done a Penwortham le Lundy pchein aprez le fest de Seynt Michell larkangell lan de nostre Seygnour le roy Henry apres le conquest ynsyme.

No. LI. *Lease by the Prior of Penwortham to Thomas de ffaryngton of four messuages in Faryngton.*

[PENWORTHAM MS.]

Hec indentura testatur quod ego Thomas Hawford Prior de Penwortham, nomine Abbatis et conventus de Evesham, concessi dimisi et ad firmam tradidi Thome de ffaryngton heredib3 et assignatis suis quatuor mesuagia quorum unum vocatur le Mulneplace et alium le Mustarplace et duo quondam fuerunt in tenura Thome Deconson et postmodum in tenura Henrici de Hoghwyke et Alicie uxoris ejus ad terminum vite et annorum, cum octodecim acris terre et dimidia acra prati et quatuordecim pticatas jacentes in villa et campis de ffaryngton put p metas plenius patet que quidem mesuagia terre et pratum predicta Alicia uxor predicti Henrici post mortem predicti Henrici statum suum sursum reddidit cum sua pte in manus predicti Thome de Hawford. Habend. et tenend. omnia predicta mesuagia terras et prata cum omnib3 suis ptinencijs predicto Thome de ffaryngton heredib3 et assignatis suis ad terminum sexaginta et decem annorum pxime sequentium et plenarie completorum libere quiete bene integre et in pace cum sufficienti turbaria in competenti loco et omnib3 alijs libertatib3, commoditatib3, et aisiamentis tantis mesuagio, terris, et prato in villa predicta ubique ptinentib3. Reddendo inde annuatim Priori de Penwortham qui pro tempore fuerit duodecim solidos et unum denarium argenti bone et legalis monete ad duos anni terminos videlicet ad festum nativitatis sancti Johannis Baptiste et Natalis Dñi per equales porciones. Et faciend. duas apparencias in anno ad curiam nostram de Hoghwyke p omni servicio exactione et demanda. Et ego vero predictus Thomas de Hawford Prior de Penwortham et successores mei nomine dictorum Abbatis et conventus de Evesham omnia predicta mesuagia, terras, et pratum cum omnib3 suis ptinencijs prefato Thome de ffaryngton heredib3 et assignatis suis durante termino predicto modo et forma predictis contra omnes gentes warantizabimus et defendemus. In cuius rei testimonium presentib3 indenturis partes predicte sigilla sua alternatim apposuerunt. Hijs testib3, Willmo

de ffaryngton, Rad. de Noteschagh, Thoma de Loxsum, et alijs. Dat. apud Penwortham die Jovis px. post festum purif. beate Marie anno regni regis Henrici quinti post conquestum Anglie nono.

No. LII. *Lease by Thurstan Forshagh to the Prior of Penwortham of certain lands.*

[PENWORTHAM MS.]

Thys endentur beres recorde y^t^ Thurstan fforshagh has set and letyn to ferme to Johan Power, priour of Penwortham and to hys assygns to y^e^ terme of xij. yeres after y^e^ date of y^is^ p'sent vij. londis lying northe and southe before y^e^ bregh of —— place and ij. londis lying at y^e^ hede of y^e^ Brendereg cald y^e^ Brendlegh between y^e^ londs of y^e^ forsaid Priour on y^e^ southe part and y^e^ londs of y^e^ said Prioure on y^e^ northe partie southworth on y^e^ kyng heghwaie on the est partie and on a butt of londs of y^e^ forsaid prioure on y^e^ west partie. Gyuyng yerely to y^e^ forsaid Thurstan for y^e^ said londs x. den., yf y^e^ said ferme be [not paid] hit shall bee lefull to y^e^ said Thurstan to stresse on y^e^ said londs and yf no distresse bee for y^e^ space of i. yere hit shall bee leful to y^e^ said Thurstan to enter in to y^e^ said londs and y^e^ said Thurstan and his heirs shall warand and maynteyne y^e^ forsaid euidens, before writen, during y^e^ yeres before said. Gyven at Penwortham y^e^ first daye of May in [the reign of] Kyng Edward y^e^ fourth after y^e^ conquest of Ynglond y^e^ xij.

No. LIII. *Attornment by W. de ffaryngton to the Abbot of Evesham,*(1) *concerning lands in ffaryngton.*

[PENWORTHAM MS.]

This Byll endented made at Evesham the xvij^th^ day of the moneth of Junij the xiiij^th^ yere of the regne of our Soueraigne Lord Kyng Edward the iiij^th^ Witnesseth that Wyllyam ffaryngton of ffaryngton

(1) Viz. Richard Hawkesbury, who held the office of Prior, and was elected Abbot of Evesham, and, after consecration by the Bishop of Lincoln, was installed at Evesham 6th August 1467. He died 6th April 17 Ed. IV. A.D. 1477.

in the counte of Lancastr squyer of full and pfite age knowlegyth hymselfe to holde diuerse landys and tenements wth their appurtenance in ffaryngton beforeseid of Richard Abbot of Evesham and his successores by the rent of xiiij^{s} yerely to be paied at ij. termes of the yere that is to sey at the fests of the Natiuite of our Lorde, and the Natiuite of Seynt John Baptist by even portions, and by all other seruices thereof as hath ben due and custumable by olde tyme. And for the more euidence in this matiere to be hadde the foreseid Wyllyam ffaryngton putteth the seid Abbot in possession by the some of iiij^{s} viij^{d} of lawfull money of Ingland by the name of the rent of Mydsomer terme, as of the foreseid xiiij^{s} in the presens of John Norton prioure of the monasterie of Euesham, Maistr Henr. Pantrye officiall of the Jurisdiction there, Thurstane Sharrok preest, Wyllyam Portar, Wyllyam Harbert, Richard Newport, Squyers, Rauff. Notshawe of the counte of Lancastr gentilman and others. And so the foreseid Wyllyam ffaryngton afore the psones aboue rehersed graunteth hymselfe to paye yerely hereafter the seid xiiij^{s} at such termes as ben aboue rehersed, wth all other seruice to the foreseid lands and tenements belongyng. In witnesse whereof to the oon pte of this wrytyng endented remaynyng w^{t} the foreseid Wyllyam ffaryngton the seid Richard Abbot hath put his seall: And to the other pte w^{t} the foreseid Richard Abbot remaynyng the foreseid Wyllyam ffaryngton hath put his seall. Yeven at Evesham aboue seid the day and yere aboue rehersed.

No. LIV. *Lease by the Prior of Penwortham to William de ffaryngton, his wife, and son, of Leyland barn, and the tithes of Leyland.*(1)

[Werden MS.]

Hec indentura testatur quod dompnus Johannes Staunton Prior prioratus de Penwortham de consensu et assensu dñi Abbatis Monas-

(1) This is endorsed in a coeval hand, "A copie of a lease of the tythe barne and cornes of Leylonde made by the Prioure of Penwortham unto S^{r} William ffarington

teriij Eveshamie et eiusdem Loci conventus tradidit et ad firmam dimisit Willmo ffaryngton armigero et Alicie uxori eius necnon Henrico filio et heredi eorundem unam grangiam vocat. Leylond berne cum gardino inter vicariam et dictam grangiam una cum omnimodis bladis decimalibꝫ nascentibꝫ de villata et campis de Leylond cuiuscunque generis fuerint siue speciei. Habend. et tenend. omnia predicta blada decimalia ut prefertur prefatis Willmo, Alicie, et Henrico et diucius eorum viventi ad totum terminum quadraginta annorum p̄xime sequentium post dat. presencium, si p̄ tantum tempus vixerint. Reddendo inde annuatim eidem Priori, qui pro tempore fuerit, tresdecim libras legalis monete Anglie solvend. ad festum sancti Petri ad vincula. Et si contingat quod dictus redditus sive firma fuerit aretro nec solut. in parte vel in toto post unum mensem post terminum sancti Michaelis archangeli, quod tunc bene licebit Priori dicti prioratus, qui pro tempore fuerit, supra predictam grangiam cum p̄tinencijs distringere, et districtiones sic ibidem captas abducere, asportare, effugare, et penes se retinere, quousque dictus redditus sive firma taliter aretro existens cum dampnis et expensis plenarie fuerit satisfactus. Et si contingat quod dictus redditus sive firma fuerit aretro, ut supra dictum est, post festum sancti Martini in yeme, quod bene licebit eidem Priori p̄ tempore existenti in predictam grangiam decimalem cum omnimodis bladis decimalibꝫ reingredi, reintrare, et penes se retinere, eosdemque Willmum, Aliciam, et Henricum abinde expellere et amovere p̄ p̄petuo, presentibꝫ indenturis non obstantibꝫ in aliquo. Et predicti Willmus, Alicia, et Henricus invenient omni anno ad festum sancti Laurencij sufficientem securitatem dicto Priori p̄ tempore existenti de solucione predictarum tresdecim librarum annuatim p̄solvend. durante termino predicto. Et dicti Willmus, Alicia, et Henricus reparabunt, sustentabunt, et manutenebunt predictam grangiam cum gardino et suis p̄tinencijs sumptibꝫ suis p̄prijs et expensis durante termino predicto. Et in fine termini sui dimittent dictam grangiam cum gardino et p̄tinencijs

knyght and Ales his wiff and unto Henr. ffarington for the terme of forty yers if any of them so longe sholde lyve and bering date the xxi^th^ of Aprill a° xvij E. iiij^th^."

bene et sufficienter sustentatam et reparatam sub pena decem librarum p se vel executoribꝫ eorundem Willmi, Alicie, et Henrici psolvend. eidem Priori, qui p tempore fuerit, Nec licebit dictis Willmo, Alicie, et Henrico predictam grangiam decimalem cum predictis bladis decimalibus in manus dicti Prioris, qui pro tempore fuerit, resignare sine eius licentia et voluntate petita et obtenta sub pena viginti librarum eidem Priori p se vel p executores suos psolvend. Et non licebit dictis Willmo, Alicie, et Henrico dimittere nec tradere dictam grangiam decimalem blada decimalia nec aliquam parcellam eorundem alicui psone sine licencia dicti Prioris qui pro tempore fuerit petita et obtenta sub pena decem librarum Priori p tempore existenti psolvend. p se vel p executores suos durante termino suo antedicto. Et si contingat predictos Willmum, Aliciam, et Henricum contraire seu prevaricare dictas convenciones seu aliquam partem eorundem, quod bene licebit eidem Priori, qui pro tempore fuerit, predictos Willmum, Aliciam, et Henricum abinde expellere et amovere, presentibꝫ indenturis non obstantibꝫ in aliquo. Et si contingat predictos Willmum, Aliciam, et Henricum infra terminum dictorum quadraginta annorum obire, quod tunc predicta grangia cum gardino, bladis decimalibꝫ, et omnibꝫ suis ptinencijs eidem Priori pro tempore existenti integre revertatur sine impedimento heredum vel executorum predictorum Willmi, Alicie, et Henrici qualicunque. In cuius rei testimonium parti vero nos remanenti prefati Willmus, Alicia, et Henricus sigilla sua alternatim apposuerunt, parti vero penes prefatos Willmum, Aliciam, et Henricum, sigillum nostrum commune ad causas est appensum. Hijs testibꝫ, Thoma et Rogero de Chetton tunc ballivis ville Eveshamie, Johanne Singilton, Laurencio Yonge, et Thoma Smallwoode cum multis alijs. Dat. apud Evesham xxj. die mensis Aprilis anno regni regis Edwardi quarti post conquestem Anglie xvij.

No. LV. *Lease by the Prior of Penwortham to Henry ffaryngton, his wife, and son, of lands in ffaryngton.*(1)

[WERDEN MS.]

Hec indentura testatur quod ffrater Robertus Yatton Prior prioratus de Penwortham de consensu et assensu dñi Abbatis Monasterij Eveshamie et eiusdem Loci conventus tradidit concessit et ad firmam dimisit Henrico ffaryngton filio Willmi ffaryngton militis, Anne uxori sue, et Willmo filio suo primogenito, unum cotagium et unam acram et dimidiam terre que nuper fuerunt inclusa p̄ dictum Willmum ffaryngton militem sup̄ communam pasture de ffaryngton predicta. Habend. et tenend. predicta cotagium et unam acram et dimidiam terre prefatis Henrico ffaryngton, Anne uxori sue, et Willmo filio suo primogenito a dat. presencium usque ad finem termini sexaginta annorum p̄ximorum extunc sequentium et plenarie complend. si p̄ tantum tempus vixerint vel unus eorum vixerit. Reddendo inde annuatim prefato Priori de Penwortham, qui pro tempore fuerit, sex denarios bone et legalis monete Anglie ad festa Nativitatis sancti Johannis Baptiste et Natalis Dñi equis porcionib3. Et faciendo duas apparencias ad duas capitales curias nostras ibidem tenendas. Et si contingat predictum redditum aretro fore in parte vel in toto post aliquod festum festorum predictorum quo solvi debeat p̄ quindenam, quod tunc bene licebit dicto Priori, qui p̄ tempore fuerit, seu ballivo suo super predictum cotagium unam acram et dimidiam terre distringere et districtiones ibidem captas effugare, imparcare, et penes se retinere quousque dictus redditus cum arreragijs dicto Priori p̄ tempore existenti plenarie fuerit p̄solutus. Et si contingat predictum redditum aretro fore in parte vel in toto p̄ quarterium anni post aliquod festum festorum predictorum quo solvi debeat dicto Priori, qui pro tempore fuerit, aut suo ballivo, et sufficiens districtio ibidem capi vel haberi non poterit, quod tunc bene licebit dicto Priori, qui pro tempore fuerit, in predicta cotagium et unam acram et dimidiam terre

(1) Indorsed, "An elde lease of M^r Penketh house in ffaryngton made by the Priour of Penwortham."

reintrare, rehibere, et in pristino statu suo possidere, presentibꝫ indenturis in aliquo non obstantibꝫ. In cuius rei testimonium uni parti huius indenture penes prefatos Abbatem, Priorem, et conventum remanenti predicti Henricus, Anna, et Willmus sigilla sua apposuerunt; alteri vero parti huius indenture penes prefatos Henricum, Annam, et Willmum remanenti predicti Abbas, Prior, et conventus sigillum suum ad causas apposuerunt. Dat. apud Evesham septimo die mensis Decembris anno regni regis Henrici septimi post conquestum Anglie decimo octavo.

No. LVI. *Lease by the Prior of Penwortham to Roger ffaryngton, his wife, and daughter, of certain closes of land in Faringtón.*(1)

[PENWORTHAM MS.]

Hec indentura testatur quod frater Jacobus Shrokinerton, Prior prioratus de Penwortham, de consensu et assensu dñi Abbatis monasterij Eveshamie et eiusdem Loci conventus, tradidit et dimisit Rogero ffaryngton, Margarete uxori sue, et Agneti filie eorundem, unum mesuagium cum crofto et gardino adjacent. in ffaryngton, et tres acras terre cum ꝑtinentijs in eadem villa que vocantur Lyttel-

(1) Part of these lands had been the subject of a characteristic petition for a renewal of a former lease by Ellen de ffaryngton. The document is among the Werden MSS.

"Fait a remembre qe Elene qe fuist la feme Robert de ffaryngton tient certaines terres et tenementz en ffaryngton au lesse del Priour de Penwortham, qi ore est, rendant la verre value, cestassauoir, xij. acres gisantz en un close appelle le Rydingfeld rendant eut viij. sol., et un mees ove les gardins contenant une demy acre rendant eut vj. den. et trois acres gisantz en deux petitꝫ closes appelles Littelmores rendant eut iij. sol. et vij. acres gisantz en diuers lieux en la champe de ffaryngton apellez Claghton smaleys, rendant eut iiij. sol. vj. d.; et un autre mees et certaines terres contenantz ix. acres gisantz en diverses lieux appelles la teneure de Robyn Dikson rendant eut iiij. sol. et iiij. d. Pleise a Monsire l'Abbe de Evesham et al Convent faire estate a dite Elene et a Robert de ffaryngton son filz des dites terres et tenementz a auoir a eux et a leur assignes a terme de sessante anꝫ per lettre de comune seal quils les purrount meuz edifier. Rendant meisme la ferme ou meindre ferme, si leur pleist, car il est trop cher, mes soulent pur ce qe le dit Robert feust nez illoequez et ad affection a meisme la place." The Prior's heart must have been hard indeed, if he could have resisted such an appeal!

mores, et unum mesuagium et septem acras terre et dimidiam, unde quinque acre terre jacent in quodam campo vocato Claghtonfelde, et unam acram in Brockforlong que vocatur Blakeacre, et tres rodas jacentes in Stainfeldmore, et tres rodas ex parte boreali le Heghgate inter terram que quondam fuit Roberti Dykyson et terram Thome Dykyson, et undecim acras terre in eadem villa que jacent in diversis locis in campo de ffaryngton, videlicet in Longestainfeld, Brokeforlong, Shortstainfeld, et le Orchards, et Catcroft medowe, et etiam unum mesuagium et duodecim acras terre que vocantur le Rydyngfelde, et Outlone que Elena de ffaryngton, Robertus, Rogerus, et Willmus de ffaryngton tenuerunt de Abbate et conventu Eveshamie ad terminum annorum, et eciam tres acras terre in Pingmunfosgate cum turbaria mosse de ffaryngton sufficienti ad predictas terras ab antiquo spectante. Habend. et tenend. omnia predicta terras et tenementa predictis Rogero, Margarete uxori eius, et Agneti filie eorundem ad terminum sexaginta annorum prox. sequentium, si per tantum tempus vixerint vel unus eorum vixerit. Reddendo inde annuatim prefato Priori de Penwortham, qui p tempore fuerit, vel ad assignatos ipsorum Abbatis et conventus Eveshamie triginta tres solidos et sex denarios bone et legalis monete ad duos anni terminos, videlicet ad festum nativitatis sancti Johannis Baptiste et nativitatis Dñi p equales portiones, et faciendo duas appensias p annum quolibet anno, durante termino predicto, ad curiam Prioris de Penwortham, qui pro tempore fuerit, tenendam apud Houghwyke. Et si predicti Rogerus, Margareta, et Agnes obierint infra dictum terminum sexaginta annorum quod extunc predicta mesuagium, terre, et tenementa cum turbaria et suis ptinencijs integre remaneant dictis Abbati et conventui Eveshamie et eorum successoribꝫ sine impedimento vel contradictione qualicunque. Et si contingat quod dictus redditus sive firma triginta trium solidorum sex denariorum fuerit aretro non soluto in parte vel in toto p unum mensem post aliquem terminum terminorum supradictorum quo solvi debeat, quod ex tunc bene licebit Priori de Penwortham, qui pro tempore fuerit, seu alijs assignatis predicti Abbatis et conventus de Evesham et successorum suorum in predictis terra et tenemento cum turbaria mosse de ffaryngton fodend. et comburend.

cum alijs estoverijs, pratis, pasturis, libertatib3, et aisiamentis ad predictis mesuagio, terris, et tenementis ab antiquo ptinentib3 ingredi, intrare et distringere, et districtiones inde captas abducere, asportare, et penes se retinere quousque dictus redditus sive firma taliter aretro existens, cum omnib3 inde arreragijs dampnis et expensis plenarie fuerit satisfact. Et si contingat predictum redditum sive firmam triginta trium solidorum et sex denariorum in parte vel in toto aretro fore post aliquod festum termini predicti quo solvi debeat p unum plenum quartum anni, quod tunc bene licebit Priori de Penwortham pro tempore existenti, seu alijs assignatis predicti Abbatis et conventus Eveshamie in omnia predicta mesuagia, terras, tenementa, cum turbaria et omnib3 alijs premissis una cum omnib3 et singulis eorum ptinencijs reintrare et eadem ut in suo pristino statu rehabere, possidere, et gaudere p ppetuo, dictosque Rogerum, Margaretam, et Agnetem abinde totaliter expellere, presentib3 indenturis in aliquo non obstantib3. Et non licebit dictis Rogero, Margarete, et Agneti vastum facere, nec succidere aliquem arborem ad valorem unius denarij sine licencia petita et obtenta Prioris, qui p tempore fuerit, sub pena lxvj. solidorum viij. denariorum. Et si contingat dictos Rogerum, Margaretam, et Agnetam contraire vel prevaricare predictas convenciones seu aliquem partem eiusdem quod extunc tota indentura erit forisfacta in aliquo non obstante. In cuius rei testimonium uni parti huius indenture penes prefatos Rogerum, Margaretam, et Agnetem remanenti prefatus Abbas et conventus sigillum suum ad causas apposuerunt, alteri vero parti huius indenture penes prefatos Abbatem et conventum remanenti prefati Rogerus, Margareta, et Agnes sigilla sua apposuerunt. Hijs testib3, Johanne Crokysey et Ricardo Carver tunc ballivis ville Eveshamie, Thoma Harries, Ric. Aldynton, et alijs. Dat. apud Evesham predictam in domo nostra capitulari secundo die mensis Januarij anno regni regis Henrici septimi post conquestum Anglie vicesimo secundo.

No. LVII. *Grant by the Prior of Penwortham to William Taillour and his sons, of the tithes of corn and hay in Hoghwyk for sixty years.*

[PENWORTHAM MS.]

Hec indentura testatur quod ffrater Robertus Yatton prior prioratus de Penwortham de consensu et assensu dñi Abbatis monasterij Eveshamie et eiusdem Loci conventus tradidit concessit et dimisit Willmo Taillour de Houghwyk, Cristofero et Johanni filijs dicti Willmi, omnia blada decimalia et totum fenum decimale ꝑvenientia in villa et in campis de Houghwyk predicta, cuiuscunque generis fuerint seu speciei. Habend. et tenend. omnia predicta blada decimalia et fenum decimale ut prefertur prefatis Willmo, Cristofero, et Johanni a festo sancti Michaelis archiepiscopi ꝑximo futuro post dat. presencium usque ad finem termini sexaginta annorum ꝑx. extunc sequentium et plenarie complend. si ꝑ tantum temporis vixerint vel unus eorum vixerit. Reddendo inde annuatim Priori de Penwortham qui pro tempore fuerit quadraginta sex solidos et octo denarios bone et legalis monete Anglie solvend. ad festum sancte Marie Magdalene. Et si contingat predictos Willmum, Cristoferum et Johannem obire infra terminum predictum quod tunc omnia predicta blada decimalia et fenum decimale cum omnib3 eorum ꝑtinencijs integre revertant eidem Priori de Penwortham qui pro tempore fuerit sine impedimento vel contradictione qualicunque ipsorum Willmi, Cristoferi, et Johannis. Et si contingat quod dictus redditus quadraginta sex solidorum et octo denariorum fuerit aretro in ꝑte vel in toto ꝑ unum mensem post terminum sancti Michaelis archiepiscopi quod tunc bene licebit eidem Priori, qui pro tempore fuerit, distringere super totum tenementum dicti Willmi quod tenet in Houghwyk predicta cum suis ꝑtinencijs et districtiones sic ibidem captas abducere, asportare, effugare, et penes se retinere quousque dictus redditus, taliter aretro existens, cum dampnis et expensis plenarie fuerit satisfact. Et si contingat quod dictus redditus fuerit aretro in festo sancti Martini in yeme quod tunc bene licebit eidem

Priori, qui pro tempore fuerit, in omnia predicta blada decimalia et fenum decimale cum suis ꝑtinencijs reingredi, reintrare, reassumere, et penes se retinere eosdemque Willmum, Cristoferum, et Johannem abinde totaliter expellere et amouere pro ꝑpetuo, presentib3 indenturis in aliquo non obstantib3. Et predicti Willmus, Cristoferus, et Johannes invenient seu unus eorum inveniet omni anno ante festum sancti Laurencij sufficientem securitatem dicto Priori pro tempore existenti de solucione predictorum quadraginta sex solidorum et octo denariorum annuatim ad dictum terminum superius limitatum ꝑsolvend. durante dicto termino sub pena forisfactur. istarum indentarum. Et predictus Willmus, Cristoferus, et Johannes ingrangiabunt et inorrabunt omnia predicta blada decimalia et fenum decimale infra eorum tenementum quod tenent in Houghwyk omni anno durante termino antedicto, sub pena centum solidorum eidem Priori, qui pro tempore fuerit, ꝑ se vel ꝑ executores suos ꝑsolvend. Et non licebit eisdem Willmo, Cristofero, et Johanni dimittere dicta blada decimalia et fenum decimale nec aliquam illam parcellam alicui viro vel mulieri sine licencia dicti Prioris, qui pro tempore fuerit, petita et obtenta, sub pena quadraginta sex solidorum et octo denariorum Priori existenti solvend. durante termino antedicto. In cuius rei testimonium uni parti istarum indentarum penes prefatos Willmum, Cristoferum, et Johannem sigillum nostrum ad causas est appensum, alteri vero parti penes nos remanenti prefati Willmus, Cristoferus, et Johannes sigilla sua apposuerunt. Hijs testib3, Thoma Jorden, Thoma Pantry, tunc ballivis ville Eveshamie, Thoma Harrys, Johanne Kynge, Ricardo Aldynton, et alijs. Dat. apud Evesham in domo nostra capitulari primo die mensis Junij anno regni Regis Henrici octavi post conquestum Anglie primo.

No. LVIII. *Lease by the Prior of Penwortham to Henry ffarington, his wife, and two sons, of Leyland barn and the tithes in Leyland for sixty years, at the rent of thirteen pounds.*

[WERDEN MS.]

Hec indentura testatur quod dompnus Ricardus Hawkysbury Prior prioratus de Penwortham de consensu et assensu dñi Abbatis de Evesham et eiusdem Loci conventus tradidit et ad firmam dimisit Henrico ffaryngton(1) armigero, Anne uxori sue, Thome ffaryngton

(1) The direct connection of these lessees with the earlier branches of the family noticed at p. 19 ante has been made out from the records now at Werden. These descents vary considerably from the published accounts of this ancient family, and therefore it has been thought advisable to give the authorities more at large than usual.

John de ffaryngton, the son of William del Meles, living 7 Edw. II., (ante p. 15,) married Avicia, daughter of Robert Bussel, (ante p. 17,) and had issue:

1. William, (ante p. 17.)
2. Robert, living 16 Edw. II., (ante, p. 25.) William Abbot of Evesham granted lands in Faryngton "Roberto filio Johannis de ffaryngton" (ante p. 52.) He married Elen, (ante p. 66,) and had three sons:
   Robert, (ante p. 66.)
   Roger, (ante p. 22,) who had two sons living 14 Edw. II., (ante p. 22):
   1. Adam, living 14 Edw. II., (ante p. 22.)
   2. Henry.

William de ffaryngton, eldest son, living 8 Ed. II., (ante pp. 17, 20.) He married Agnes ——, who survived, and by deed dated the Wednesday after the feast of St. Michael, 4 Edw. III., settled lands in Leyland on her sons, John, Roger, and Robert, with remainder to Henry the son of the said John. They had issue:

1. William.
2. John, named in his mother's settlement. He purchased the wardship of his nephew, *infra*, and joined in an obligation as "Johan de ffaryngton leisne" with Thomas Banastre del Bonk, on Tuesday after the feast of St. Michael, 46 Edw. III., to Thomas de Radclyff and Rauf de Langetone, that John de ffarington the younger should, the year after he came of age, grant a rent of £5 to Joan, wife of Thomas de Radeclyf, "des totz les terres que furount jadys a Willm de ffaryngton pere le dit Johan le puisne." By settlement dated the feast of S. Jeronyme the Doctor, 11 Ric. II.,

et Roberto ffaryngton filijs eorundem unam grangiam vocat. Laylonde barne cum gardino inter vicariam et dictam grangiam una cum omnimodis bladis decimalibꝫ ꝑvenientibꝫ de villata et campis de

thirty acres of Land in Leyland super Northbrok were settled "Johanni de ffaryngton seniori et Eve uxori eius" in tail: remainder "Nicholao de ffaryngton fratri eiusdem Johannis" in tail: the reversion "Johanni filio Willmi de ffaryngton juniori." He had issue:

Henry, (see above.)

William, rector of Bekaunfeld 7 Hen. IV.

3. Roger, (see above,) parson of Heysham, 49 Edw. III., of Bebyngton, 11 Ric. II.
4. Robert, (see above,) parson of St. Dunstan in the East "jouste le toure de Londres," 49 Edw. III., canon of York, 11 Ric. II.
5. Nicholas, (see above,) living 11 Ric. II.

William de ffaryngton, eldest son, grantor of eight acres of land to Evesham 10 Edw. III., (ante p 31.) By deed dated Tuesday on the morrow of St. Elfrid the Bishop, 6 Edw. III., he settled four acres of waste in Leyland on his brother John. He was living 1st August 33 Edw. III., when by two deeds he settled lands in Leyland on his sons John, Thomas, Nicholas, Ralph, and Roger, successively. He married Joan ——, who ante 46 Edw. III. had married Thomas de Radeclyf, (see ante, and the following bill:) "A son tres excelent seignour le Roy: Montre le seon lege home Johan de ffaryngton del counte del Lancastr. qe le dit Johan conust le droit mon Seignour le Duc de Lancastr. de la garde et mariage del heir Willm de ffaryngton, quel garde et mariage le dit Johan ad achete del counseil le dit Duc, pur quele achete un Thoms de Radeclyf, que ad espose la mere le dit heir, Johan fil. Willm de Radeclyf, Robyn de Riston, Robt. de Hyndelegh, Henr. Banastr, Ric. et Willm de ffreys et moults autres ount convenus de octrer le dit Johan et le dit heir ensement pur la graunde mayntenaunce de Sire Roger de Pylkyngton, Hug. de Ley, Justices de la pees, Ric. de Radeclyf lesne, Ric. de Radeclyf viscount Rauf de Langeton Willm de Radeclyf et Willm de Chorlaye et moults autres de ses affynites et comuns maintenours de chescuns querelles en le dit counte. Purquoy priount les dites Johan et le dit heir a son tres excelent Sire le roy issint de trouver pur son bone conseil especiale remedy en le case, car per comune leye ne les pust chaster. Et qe le dit Johan et le dit heir ne soient octres ne destrus par la graunde mayntenaunce de les sounomes par Dieu, et un œuvre de charite." William de ffaryngton had six sons:

1. William, who apparently had died s.p. 46 Edw. III.
2. John, who succeeded his father.
3. Thomas, (ante,) living 10 Hen. V.

Laylonde cuiuscunque generis fuerint sive speciei. Habend. et tenend. omnia predicta blada decimalia, ut prefatur, prefatis Henrico, Anne,

4. Nicholas had a release the Friday after Christmas 5 Hen. IV. from "Eva que fuit uxor Johannis de ffaryngton senioris" of land in Leyland.
5. Ralph.
6. Roger.

John de ffaryngton, a minor 46 Edw. III., surrendered to the Abbot of Evesham, 20 Ric. II., (ante p. 58;) he was living 7 Hen. IV., and married to Joan ——, by whom he had:

1. William, eldest son, who married vita patris 20th June 7 Hen. IV. Alice, daughter of John Lascy of Gaytford in the county of York, and Agnes his wife, when lands "en Leure et Bolton en counte de Lanc. queux furount jadys a Johan de Leure aiel de dite Agneys" were settled.
2. Thomas, married Joan, daughter of Henr. de Hoghwyk, marriage covenant dated the morrow of St. Martyn in winter 7 Hen. IV., when her father covenanted that lands in Leyland and Faryngton "per fait endente taille a Willm de ffaryngton son filz et a les heirs de son corps loialment engendres a tant de terre ou de rent qe amount al quantite de la dower Johanne la femme le dit Johan de ffaryngton; et par defaut de issue mesme cesty Willm al dit Thoms frere le dit Willm et a les heirs de son corps," &c. In the guild roll of Preston, 3 Hen. IV., there is the following entry of admission: "Thomas fil. Joh. de ffaryngton de ffaryngton p. Henr. Hoghwyk." Thomas de ffaryngton was living 9 Hen. V., (ante p. 61.)
3. Joane, married Gilbert de Sutton de Penwortham, marriage covenant the Monday after the feast of St. Symon and St. Jude 2 Hen. V.

William de ffaryngton, the eldest son, living 9 Hen. V., (ante p. 60,) married Alice de Lascy, and had issue:

1. William, who succeeded.
2. Nicholas, living 24 Jan. 16 Hen. VI.

William de ffaryngton, eldest son. By deed 24 Jan. 16 Hen. VI. "Willmus de ffaryngton filius et heres Willmi de ffaryngton" gave "Nicolao de ffaryngton fratri meo" lands in Ulnes Walton. He married Margaret, daughter of Robert de Halsall, and died 14th Jan. 1456, 34 Hen. VI.; and by inquisition "capta apud Lanc. 24 die Feb. anno 34 Henr. 6. coram Thom. Lathom esc. per sacr. Thome Pilkington armig. et aliorum qui dicunt quod Willmus ffaryngton non tenuit aliquas terras in com. Lanc. die quo obijt; quod diu ante obitum suum per quandam cartam, cujus dat. est apud Leyland 7° die Jan: anno Henr. 6. 36 [*sic, doubtless an error in the transcript,*] dedit Henrico Halsall et Edmundo Faryngton rectori ecclesie de Halsall et heredes omnia

Thome et Roberto filijs eorundem Henrici et Anne, et cuilibet eorum diucius viventi ad totum terminum sexaginta annorum prox. sequen-

sua mesuagia et terras que habuit in villis de Leyland, Faryngton, et Preston: et dicunt quod pred. Willmus Faryngton obijt 4° decimo die Januar. ult. preterit. et quod quidam Willmus ffaryngton est filius et heres ejus propinquior, et in festo apostolorum Petri et Pauli ult. pret: fuit ætatis 15 annorum et amplius; et maritat. Alicie filie Willmi Ashton militis in vita dicti Willmi patris."—*Towneley MS.* He left issue:

1. William, æt. 15, 29th Jan. 1456.
2. Richard, who by settlement 6th Dec. 31 Hen. VI. had lands to the yearly value of £1. 6s. 8d. settled in tail.
3. Alison,
4. Elyn,
5. Anne,

who by the same settlement had £10 each given for behofe of their marriage.

Sir William de ffaryngton, eldest son, married Alice, daughter of Sir William Ashton Knt., surrendered to Evesham 14 Edw. IV. (ante p. 61,) had a lease of the tithes of Leyland 17 Edw. IV. (ante p. 62.) By deed 20th March 16 Hen. VII. "Willyam ffaryngton knyght and Henre ffaryngton son and heire apparaunte of y^e^ said Willyam" settled a jointure of £8. 16s. 4d. on Alice wyfe of the said Willm, and also settled lands in Leyland, ffaryngton, Preston, and Ulnes Walton, on Sir William for life; remainder to Henry in tail "accordyng to y^e^ old entailes," and after reciting that Sir William had "of his propur godes to his gret costs and chargis maried iiij of hiś doghters, and ij ben yet to marye y^t^ is to saye Mary and Alice," he gave c. marks to each of them. He had issue:

1. William, married Margaret, daughter of Robert Hesketh of Rufforth; marriage covenant 30th May 9 Edw. IV., but ob. s.p. ante 17 Edw. IV.
2. Henry, see above, and named as "fil. et her. Willmi de ffaryngton et Alicie uxoris eius" 17 Edw. IV., (ante p. 63.)

Four daughters, and Mary and Alice.

Sir Henry de ffaryngton, second son, succeeded, grantee with Anne his wife and William his eldest son and heir from the Prior of Penwortham 7th Decr. 18 Hen. VII., (ante p. 65,) and the lessee in the text. (p. 71.) By deed 12th March 15 Hen. VIII. A.D. 1524, he conveyed lands "Thome ffaryngton filio meo et heredi apparenti, Roberto ffaryngton fratri dicti Thome," and others to the use of his will; and by will 8th April 15 Hen. VIII. declared the use to be "for an able and well disposed priest daile to say and do masses at the auter in Saynt Nicholas chappel witin Leylond church, and other dyuyne service daile to say and do for ever. And to pray specially for the soules of Sir Peres Wodecok, Sir Willm ffaryngton knyght, Robt Spiser, James Anderton, Margaret Molyneux, Sir Robert Sumsons priest, and for the prosperite and welfare of Dame Alice my moder and of me the said

tium post dat. presencium, si per tantum tempus vixerint. Reddendo inde annuatim eidem Priori, qui p tempore fuerit, tresdecim libras legalis monete Anglie solvend. ad festum sancti Petri ad vincula. Et si contingat quod predictus redditus sive firma fuerit aretro non solut. in parte vel in toto p unum mensem post terminum sancti Michaelis archangeli, quod tunc bene licebit Priori dicti prioratus, qui pro tempore fuerit, supra dictam grangiam cum ptinencijs distringere, et districtiones sic ibidem captas abducere, asportare, effugare, et penes se retinere, quousque dictus redditus sive firma totaliter aretro existens cum dampnis et expensis plenarie fuerit satisfactus. Et si contingat quod dictus redditus sive firma fuerit aretro, ut supradictum est, post festum sancti Martini in yeme, vel si aliquis gravis defectus reparationis dicte grangie euenerit, et sufficienter emendatus non fuerit post racionabilem visum et premunicionem dicti Prioris, qui pro tempore fuerit, quod tunc bene licebit eidem Priori, qui pro tempore fuerit, in predicta grangia decimali cum omnibz bladis decimalibz reingredi, reintrare, et penes se retinere, eosdemque Henricum, Annam, Thomam, et Robertum abinde expellere et amouere p ppetue, presentibz indenturis non obstantibz in aliquo. Et predicti

Henr. ffaryngton, and my said heires duryng our lyves, and all other benefactours and maynteners of the said service and chauntre." Sir Henry and his son William were enrolled burgesses of Preston at the Guild held 34 Hen. VIII. He married Anne —— and had issue:

1. William, see above, ob. s.p. vita patris ante 15 Hen. VIII.
2. Thomas, named in the deed supra 7 Hen. VIII. He married Cecile, daughter of Thomas Radclyf of Wynmarlegh, and by deed 25th Jan. 16 Hen. VIII., it was awarded that the said Thomas should, for the sum of £10, her portion, have all the lands of the said Henry his father "immedyately after the decesse of the said Henry in fe symple or fe tayle Prouydyt that this estat be not prejudiciall to the dowre or joynture of Dame Alice ffaryngton modre of the said Henre nor to the dowre or joynture of Anne now wyff of the seid Henre for terme of theyr lyff onely."
3. Robert, see above, living 15 Hen. VIII.

Sir Henry is stated to have married, secondly, Dorothy, daughter of Humphrey Okeover of Okeover, co. Stafford, and to have had issue:

William, lessee of Longton barne and tythe, 14th Jan. 29 Hen. VIII., (infra p. 78.)

Henricus, Anna, Thomas, et Robertus invenient omni anno ante festum sancti Laurencij sufficientem securitatem dicto Priori p̄ tempore existenti de solucione predictarum tresdecim librarum annuatim p̄solvendarum durante termino predicto. Et dicti Henricus, Anna, Thomas, et Robertus reparabunt, sustentabunt, et manutenebunt predictam grangiam cum gardino et suis p̄tinencijs sumptib3 suis p̄prijs et expensis durante termino predicto. Et in fine termini sui dimittent dictam grangiam cum gardino et suis p̄tinencijs bene et sufficienter sustentatam et reparatam sub pena decem librarum p̄ se vel p̄ executores eorundem Henrici, Anne, Thome, Roberti p̄solvend. eidem Priori qui p̄ tempore fuerit. Nec licebit dictis Henrico ffaryngton, Anne uxori sue, Thome et Roberto filijs eorundem, predictam grangiam decimalem cum predictis bladis decimalib3 in manus dicti Prioris qui p̄ tempore fuerit resignare sine eius licentia et voluntate petitis et obtentis, sub pena viginti librarum eidem Priori p̄ se vel p̄ executores suos p̄solvend. Et non licebit dictis Henrico ffaryngton, Anne uxori sue, necnon Thome et Roberto filijs eorundem dimittere nec tradere dictam grangiam decimalem blada decimalia nec aliquam parcellam eorundem alicui p̄sone sine licencia dicti Prioris, qui pro tempore fuerit, petita et obtenta sub pena decem librarum Priori, qui p̄ tempore fuerit, p̄solvend. p̄ se vel p̄ executores suos durante termino suo antedicto. Et si contingat predictos Henricum ffaryngton, Annam, Thomam, et Robertum contraire seu prevaricare predictas convenciones seu aliquam partem earundem, quod tunc bene licebit eidem Priori, qui pro tempore fuerit, predictos Henricum, Annam, Thomam, et Robertum abinde expellere et amovere pro p̄petuo, presentib3 indenturis in aliquo non obstantib3. Et si contingat predictos Henricum, Annam, Thomam, et Robertum infra predictum terminum sexaginta annorum obire, quod extunc predicta grangia cum gardino, bladis decimalib3 et omnib3 suis p̄tinencijs eidem Priori, pro tempore existenti, integre revertatur sine impedimento vel contradictione heredum vel executorum predictorum Henrici, Anne, Thome, et Roberti qualitercunque. In cuius rei testimonium uni parti harum indenturarum penes prefatos Abbatem et conventum remanenti predicti Henricus, Anna, Thomas, et Robertus sigilla sua apposuerunt.

Alteri vero parti earundem penes prefatos Henricum, Annam, Thomam, et Robertum remanenti predicti Abbas et conventus sigillum suum ad causas apposuerunt. Hijs testibꝫ, Henrico Page, Willmo Carpynter, tunc ballivis ville Eveshamie, Ricardo Aldyngton, Thoma Jorden, Thoma Pantry, et multis alijs. Dat. apud Evesham predictam in domo nostra capitulari vicesimo die mensis Aprilis anno regni Regis Henrici octavi septimo.

No. LIX.

[PENWORTHAM MS.]

Be it knowyn to all men that we Clement Abbott of the monastery of our blessed Lady and Saynt Egwine of Evesham and the convent of the same make knowlege by thes presents that Willm Taylour of Howghwyke wᵗin the countie of Lanc. standith and is owre lawfull tenaunt of the hoole tenthe corne and hey in Houghwyke foresaide and none other man at the day of makynge of thes presents. And also of a Tenement of owres in the saide Houghwyke wherin the saide Willm now dwellith: And of another Tenement of owres lyinge in ffaryngton whiche John Tardy(1) now holdyth and occupieth. And further that the saide Willm hathe paied his rents, upholde his howses, and made repacions of the same: And also pfourmed all and euery other articles condicions and covenants named specified and rehersed accordynge to the teno. & effect of certayne Indenturs made betwyxt the before named Abbot and Convent and the saide Willm of the hoole premisses. We suerly wᵗ favour considerynge the same havynge also great fidelite and truste in the saide Willm and his goode doynge in tyme comynge, and specially thorowe the besy and diligente labour informacion and credence of our brother Prior there do graunte confirme ratifie and allowe all and euery the foresaide leasses dimises and tacks of the said Willm. Shewynge trewe servicable aydynge and mayntenynge the rights of our monastery in Lanc'shyre accordynge to his power and the tenour of his said leassis. In wytnesse

(1) Most probably this is the tenement in Farington now known by the name of Tardy Gate.

wherof we haue sette hereunto owre comyn Seale the xjth day of the monthe of Decembr in the xvth yere of the reigne of our Soueraygne Lorde Kynge Henry the viij.

No. LX.

[WERDEN MS.]

Hec indentura testatur quod Clemens ꝑmissione divina Abbas monasterij beate Marie sanctique Egwini episcopi de Evesham et eiusdem Loci conventus tradiderunt concesserunt et ad firmam dimiserunt Roberto ffaryngton generoso —— uxori eius et Willmo ffaryngton generoso filio Henrici ffaryngton militis duas grangias vocatas Longeton barnes in comitatu Lancastrie cum gardino ibidem una cum omnimodis bladis decimalibꝫ ꝓvenientibꝫ de villata et campis de Longton cuiuscunque generis fuerint sive speciei. Habend. et tenend. omnes predictas grangias cum gardino necnon omnia predicta blada decimalia, ut prefatur, prefatis Roberto ffaryngton —— uxori eius et Willmo ffaryngton successiue statim et immediate post forisfacturam cessionem sive sureddition̄em Willmi fforshawe nunc firmarijs et tenentibꝫ inde ad totum terminum sexaginta annorum tunc ꝓxime sequentium si per tantum tempus vixerint vel unus eorum vixerit. Reddendo inde annuatim eidem Abbati successoribꝫ et assignatis suis viginti marcas legalis monete Anglie solvend. ad festum sancti Petri ad vincula &c. (*as in the lease of Leyland grange and tithes, ante, p.* 75.) In cuius rei testimonium uni parti vero penes prefatis Roberto, —— uxore eius et Willmo remanenti sigillum nostrum commune ad causas est

appensum, alteri parti vero penes nos remanenti predictus Robertus, —— uxor eius, et Willmus sigilla sua alternatim apposuerunt. Dat. apud Evesham in domo nostra capitulari quarto decimo die mensis Januarij anno regni regis Henrici octavi post conquestum Anglie vicesimo nono.

No. LXI. *Lease by the Abbot and Convent of Evesham of the manor and rectory of Penwortham and the advowson of Leyland to John Fletewoode.*(1)

[PENWORTHAM MS.]

This Indenture made the xxth daie of ffebruarie in the xxxth yere of the reigne of our Soueraigne Lord Kyng Henry the eight by the grace of God Kyng of England, of ffraunce, Defensor of the ffaithe, Lord of Yrlond and in yerth supreme hedd of the Churche of Englond Betwen the Reverent ffather in God Philippe Abbatt of the monastere of our blessed Lady and Seint Egwyn of Evesham in the countie of Worcester and the conuente of the same place on thone partie, and John ffletewoode of London Gentleman on thother partie Witnesseth that the said Abbatt and convente for certen greate somes of mony to them paied at the sealyng of thes presents by the said John ffletewoode, and for dyuers other good causes and consideracons with ther one full assent and consente haue dymysed graunted and to ferme leten and by these presents do dymyse graunte and to ferme let unto the said John ffletewoode his executours and assignes All that ther manor and Lordshipp of Penwortham within the Countye of Lancastre with ther appurtenaunce and all lands, tenements, howses, barnes, stables, buyldyngs, meadowes, mores, courtletes and the profitts of the same, waiffs, fyshynges, comon of turbarie, with all the appurtenaunce, in the countie of Lancastre And all other lands and heredytaments possessions of the said convente as well spirituall as temporall whatsoeuer they bee to the said monastere in any wyse belongyng wiche the said Abbatt and Convente have occupied or enioyed within the said Manor or Lordshipp, or the parsonage graunge

(1) From an Inspeximus of Henry VIII.

or ferme of Penwortham aforesaid And the said Abbatt and Convente have with ther full assent and consent by these presents, for the causes and consideracons above stated, also dymysed, graunted, and to ferme leten and by these presents do dymyse, graunte, and to ferme let unto the said John ffletewoode his executours and assignes, All that there parsonage of Penwortham aforesaid, and also the Parsonage of Lailonde in the Countie of Lancastr aforesaid, and all maner of tithes, porc̃ons, and pensions, and all Glebelonds, houses and barnes, with all ther appurtenaunces whatsoeuer they be to the said parsonages or ether of them in any wyse belongyng lyinge and beinge in the said pisshes of Penwortham and Lailonde or in either of them, or in any other towne, hamelett, or place within the county of Lancastre aforesaid: Except and alwaies reserved unto the said Abbott and Convente and ther successours the advowson of the vicarage of the said church of Laylond: and also the advowson of the parsonage of Meles in the said county of Lancastr. To Have and to Hold occupie and enioye all and singular the said Mannor and Lordshipp of Penwortham aforesaid, and also the parsonages of Penwortham and Laylond aforesaid and all and singular other the premisses with the appurtenaunces, excepte before excepted, unto the said John ffletewoode his executours and assignes from the feaste of Saynte Michael tharchaungell last before the date of these presents for the terme of fourescore and nyneteene yeres then nexte ensuying and fullye to be complete ended Yeldyng and paying therfor yerly and euery yer unto the said Abbot and convente and to ther successours fourescore nynetene pounds fyue shillings and thre pence on the daye of the feast of Saynte Marten the Busshop in wyntre at one hoole payment to be made and paied yerly at Evesham aforesaid, and the furste payment therof to be made and begynne at the said day of the feast of Saynte Marten next suyng the date hereof. And the said John Fletewood for hym his heires and executours doth couenaunte and graunte to and with the said Abbott and Convente and ther Successours that iff it fortune that the said rente of fourescore nynetene pounds fyue shillings and thre pence to be behinde and not paied in parte or in hoole after any day of the feast aforesaid on whiche it ought

to be paied at Evesham aforesaid by the space of xxvj. dayes that then the said John ffletewoode his executours and assignes shall lose and forfeite unto the said Abbott and Convente and ther successours tenne poundes (nomine pene tocies quocies.) And in like wise tenne poundes (nomine pene tocies quocies) for euery monyth after the said xxvj. dayes in the wiche the said yerely rente or any parte or parcell therof shall so fortune not to be paied. And that it shalbe lawful unto the said Abbott and Convente and ther successours into the premisses and into euery parte and parcell therof to entre and distreyne as well for the said tenne pounds (nomine pene) as for the arraregis of the said rente (tocies quocies) the said rente or any parte or parcell shall so fortune to be behynde and not paied as is aforesaid. And the said John ffletewoode for hym his heires and executours doth also couenaunte and graunte to and with the said Abbott and conuente and ther successours that he the said John ffletewoode and his executours and assignes and euery of them shall ꝑmytt and suffer the tenaunts fermours and occupiers of the meases cotages and arable lands, parcell of the premisses and of euery of them to haue occupye and enjoie for terme of ther lyues all such meases cotages and arable lands as they or any of them haue now occupacon by vertue of any leace or graunte to them or any of them heretofore made or graunted. Prouided that this libertie do not risque any title leace or interest in or to any barne comonly called or knowen as tythe barne nor yet unto or for any manner of tythe paied of the premisses, other than for such tythe and barnes as before the date of these presents dymysed graunted or to ferme letten under the convente seale of the said monastery, nor yet to make or assigne unto any of the said tenaunts or fermours any longer terme or interest then he and thei now hold the same meases cotages and arable lands and others of the said premisses. And wher the tenaunts fermours occupiers of the tythe or tythes barnes of the premisses haue for the space of one hundreth yeres last past contynually used to haue one hoole yeres rent alwaies remaynyng in ther awne hands, by reason wherof the fermours tenaunts and occupiers of all and singular the tuythes and barnes aforesaid at the feast of Lammas, (called advincula sancti Petri) next

ensuying the date hereof shall owe and be indebted unto the said Abbott and Convente of and for one hoole and entire yeres payment for suche parte and parcell of the same tythes and barnes as thei haue holde or occupie; the said Abbott and Convente with theyr assent and consente by this presente ꝑmyse couenaunte and graunte to and with the said John ffletewoode that he the said John ffletewoode his executours and assignes shall and lawfully may receyve and gether all and all maner of rentes and yssues of all and singular the said tythes and barnes remayning or now being in the hand or custody of the tenaunts fermours or occupiers of the same tythes and barnes or in any of ther hands during the said terme of fourescore and nynetene yeres. And also that the said John ffletewoode his executours and assignes in the payment of the said rente to be made at the said feaste of Saynte Marten next suying the date hereof shalbe allowed of and for that wiche is or bene paied to one Richard Hawkysbure late fermour, custos, or —— at Penwortham aforesaid or to any other person or persons by his assignement or comaundment. And furthermore the said John ffletewoode for hym his executours and assignes doth covenaunte and graunte to and with the said Abbott and Convente and ther successours at all tymes hereafter and from tyme to tyme duryng the said terme of fourescore and nynetene yeres at and with the ꝑper coste and charges of the said John ffletewoode his executours and assignes sufficiently to repaire and upholde and maynteyne the chauncells of the churches of Penwortham and Layland aforesaid. And in thend of the same terme to leve the same with all other the premisses sufficientlye repaired and to fynd an honest and sufficient preste to serve the churche at Penwortham aforesaid. And also that the said John ffletewoode his heires executours or assignes shall from tyme to tyme duryng the said terme of fourescore and nynetene yeres acquite discharge and saue harmless the said Abbott and Convente and their successours and euery of them agenst all and euery ꝑson and ꝑsons as well of and for all and all maner of payments wiche the said Abbott and Convente and their successours haue bene charged with or of ryghte ought to paye or be charged with for or by reason of any apꝑpriac̃on of the premisses or

of any part or parsel therof and also of and for all and all maner of cheiffrents hereafter to be due, and also all and all maner of subsidies taxes and charges ordinare and extraordinare whatsoeuer thei be wiche at the day of the date of these presents at any tyme hereafter duryng the said terme be or shall fortune to be due of the premisses or or any part thereof. And ouer this the said John ffletewoode for hym his executours and assignes doth ꝑmyse couenaunt and graunte to and with the said Abbott and Convente and their successours that when and as often duryng the said terme as the said Abbot or his successours or any of them or any of his or their successours shall fortune to come unto Penwortham aforesaid that he the said John ffletewoode his executours or assignes or one of them at his and their ꝑper coste & charges shall from tyme to tyme fynd unto the said Abbott and his successours and to his and their officers and all their servaunts, and euery of them conuenient meat and drynk and beddyng hay and prouender and sufficient stallage for their horses for and duryng the space of one hoole weeke, so that itt be not aboue one tyme iu the yere. Prouided and itt is covenaunted, graunted, condecended and agreid betwene the said parties by thes presents that if any ambiguyte or doute fortune to be or arise in or uppon thes presents or any matter or clause therin conteyned, that the same ambiguyte or doute shalbe ordered or made certeyn accordyng to the trewe intente and meanyng of the said parties by oon lernyd man to be named by the said Abbott and Convente and their successours, and oon lernyd man to be named by the said John ffletewoode his executoures or assignes; and that the said partyes shall keepe obserue and ꝑfourme all and euery order direccon or determinacon to be made by the said two ꝑsons in fourme aforesaid as if the same order direccon and determinacon had been expresse and fulle set fourth in thes presents. In Witnes wherof to the oon ꝑtie of this indenture remaynynge with the said Abbott and convente the said John ffletewoode hath sett his seall and to the other ꝑtie of the same Indenture remaynynge with the said John ffletewoode the said Abbott and Convente have sett their convente seall. Geven in the Chapter House on the daie and yere aboue written.

No. LXII. *Extracta particula de gestis Abbatum.*

[Evesh. Ch. fo. 167.]

Hee sunt possessiones, quas primi et principales benefactores contulerunt ecclesie beate Marie et sancti Egwini de Evesham ante decessum eiusdem. Imprimis data est, &c. Post decessum vero sancti Egwini alij benefactores contulerunt eidem ecclesie viz. (inter alia) Terciam partem decimarum de dñico de Leyland, et de Meoles, et de ffaryngton, cum ptinencijs suis. Item sex bovatas terre in Longeton, et quartam partem piscarie de Penwortham, et unum rete liberum; Et duas bovatas terre in Leylond, et assartum de Blakeshage, et Hocwyke, et medietatem de Thelewele: Item ecclesiam de Penwortham, capellam de Meoles. *. *. *.

De Abbatibus Eveshamie post conquestum.

Egelwinus, ob. xiiij. kal. Marc. anno dñi 1077.
Walterus, ob. xiij. kal. Febr. anno dñi 1086.
Robertus monachus de Jumieges, migravit ad dñum anno dñi 1096. (ante, No. iii. p. 2.)
Mauricius, ob. anno dñi 1122. (ante, No. ix. p. 8.)
Reginaldus Gloucestrie, ob. viij. kal. Sept. 1136.
Willmus de Andeville, transijt ij. non. Jan. A.D. 1159.
Rogerus, monachus sancti Augustini Cantuarie, ob. ij. non. Jan. A.D. 1160.
Adam, monachus Cluniacensis, vitam finivit ij. Id. Nov. A.D. 1211.
Huic[1] successit Rogerus, dictus Norreis, quondam ecclesie Cristi Cantuarie monachus, sed ꝑpter sua facinora ibi in carcerem est detrusus, a quo tandem liberatus ꝑ cloacas aufugit, unde homo ille privatus nullius monasterij monachus remansit. Postea vero, a nullo collegio requisitus vel assumptus, per regiam potestatem

[1] Roger, surnamed Norreis, succeeded, who was formerly a monk of the Church of Christ at Canterbury, but had been imprisoned there for his crimes, but, escaping through a sewer, had lived as a private individual, not entering into any monastery. Afterwards, though not required nor elected by any college, he was

in Eveshamensem ꝑmovetur Abbatem, illius ecclesie, quantum licuit, conventu reclamante. Iste Abbas magnanimus se exhibebat, et multis literis habundare videbatur. Facundus enim erat et eloquentia pollebat. Curialis etiam nimium extitit, et dapsilis, et gloriosus, in mensa, cibis, et potib3 habundantius affluens; et quib3 et quando volebat copiose et honorifice hic largiebatur, non ut Cristi militem, ut beatus Sebastianus, set ut exordinationes suas sub absconso chlamyde tegeret. Erat enim vinolentus, et luxuriosus, multisque alijs criminib3 irretitus. Et, cum talis esset, post paucos annos postquam huc venerat, in tantam superbiam est elatus, ut quasi pro multis literis suis, et dapsilitate sua videretur insanire, et observantiam ordinis cum cura animarum fere penitus abjecit. Monachos etiam crudeliter oppressit, victum et vestitum ab eis pro magna parte subtraxit, ita quod per multos dies in solo pane et aqua, multos in pane duro et cervisia, parum differente ab aqua, sine pitantia fuerunt. Multi etiam ob defectum froccorum, cucullarum, et femoralium, nec chorum nec capitulum intrare poterunt, nec divina celebrare. Tandem, inedia urgente, conquesti sunt monachi super hijs dño Huberto Cantuariensi archiepiscopo, tunc temporis tocius Anglie legato. Ipse vero inter eos pacem reformans

promoted by the royal authority to be Abbot of Evesham, the convent of that church protesting as far as possible. This Abbot was pompous, apparently of great literary attainments, eloquent, and had great powers of speech. He was too courtly in manners, was sumptuous, vain-glorious, and too fond of the pleasures of the table, in which he was liberal whensoever and to whom he chose; so that it was not Christ's soldier, like the blessed Sebastian, but his own irregularities that he concealed under his cloak. For he was drunken, gluttonous, and entangled in many other crimes. And, such as he was, a few years after his arrival here he became so puffed up with pride that he seemed to be maddened by his literary knowledge and sumptuous living, and almost altogether neglected the observance of his order, and the cure of souls. He also cruelly oppressed the monks, and so diminished their food and clothing, that for some days they lived on bread and water, and on others, on hard bread and on beer differing little from water, without any pittance. Many of the monks, too, for want of frocks, hoods, and breeches, could neither attend the choir nor chapter, nor perform divine service. At length, being pressed by hunger, the monks complained about these things to Hubert, Lord Archbishop of Canterbury, then legate of all England. He made peace between them, and assigned certain

assignavit p̄ bono pacis certos redditus ad pitanciariam, quia prius vina et medones de celario, et carnes de lardario Abbatis, statutis temporib3 ad hoc accipere consueverunt, unde magnum murmur et magnus defectus sepius contingebat. Legacione autem finita post annum Abbas iterum monachos subpeditavit, et tam redditus pitanciarie quam redditus operis et omnes redditus eorum fere sibi iterum appropriavit. Quappter, miseria et inedia compulsi, hec ferre non volentes, dño Cantuarensi ut suo speciali legato scripserunt monachi suas afflictiones, et Abbatis tyrannidem et exordinaciones, qui valde commotus venit Eveshamie, et ibi de hijs, que audierat, diligenter fecit inquisitionem. Set Abbas, ad callida argumenta confugiens, muneribȝ p̄missis et datis, et quibȝdam fratribȝ corruptis, obediencijs conventus ad tempus restitutis, pacem sibi comparavit. Recepit tamen ea vice p̄ bono pacis Cumborem, qui prius in consulto conventu commutaverat p̄ Bortona, que fuit de Camera, et dedit illi Tatlesthrope ad cameram loco Bortone, et sic semper tribulate p̄fuit.

Sed ad huc pax parvo tempore duravit. Nam paulo post pejus quam unquam prius monachos flagellavit, nam sacristariam, et omnes obediencias illorum amplius et durius quam prius sibi appropriavit, et illos fame, frigore, et inedia durius quam

rents for their pittances, because formerly they were wont at stated times to receive wines and mead from the Abbot's cellar, and flesh from the larder, the want of which often caused great complaints. But a year after, Hubert ceasing to be legate, the Abbot again trampled on the monks, and appropriated as well the rents for the pittances as the rents for the works, and indeed almost all the rents. Wherefore, forced by misery and want, and not able to bear such treatment, the monks wrote an account of their misery, and the tyranny and exactions of the Abbot, to the Archbishop of Canterbury, as to their own special legate, who greatly vexed came to Evesham, and there carefully enquired about the things he had heard. But the Abbot, speaking artfully, and having corrupted some of the brethren by promises and gifts, and restoring the offices to the convent, got matters hushed up. * * * * * *

But peace lasted a short time. For shortly after he oppressed the monks worse than ever, and appropriated the sacristary and all the offices more entirely and rigidly than before, and more than formerly afflicted the monks by hunger, cold, and

prius predictum est affecit. Nec hoc ei ad cumulum dampnacionis sue suffecit, sed, quasi sciens que super eum ventura erant antequam deponeretur, ut ipse sepe dicebat, quod talem redderet abbaciam, ut nunquam aliquis post eum ea gauderet, cœpit possessiones ecclesie dilapidare, consanguineos suos ditare, ut qui tali villicacione deposita in suas domos eum reciperent.

Interim missus est in Anglia dñus Johannes, Cardinalis legatus, totius Anglie primas. Qui cum venisset Eveshamie fecit facere singulari scrutatum de statu domus tam interiori quam exteriori. Et scrutinio inspecto concessit ut pax inter eos, si fieri posset, reformaretur. Et tunc facta est hec composicio inter eos, viz. quod omnes redditus, suis officijs assignati, et omnes consuetudines de cellario in scriptum ratum sunt redacta, et contra omnia in quib3 solebat ipsos gravare, est in ea illis cautum, et miserunt eam ad dñum legatum et confirmavit eam. Et sic semper adversitatib3 et tribulacionib3 meliorati creverunt.

In diebus illis erat dñus Maugerius, episcopus Wygornensis, vir justus, et timens Deum. Iste Abbatis exordinacionib3 condolens, et miseria conventus compaciens, auctoritate cuiusdam indulgentie a dño Papa, impetrare voluit Eveshamie causa visi-

starvation. Nor was this the crowning point of his damnation; but, as if he knew what would happen before his deposition, as he often said that he would render the abbacy such that no one could enjoy it after him, he began to dispose of the property of the church, and enrich his own relations, that when he was put out of the stewardship they might receive him into their houses.

In the meantime the Lord Cardinal John was sent into England as legate or primate of all England. And, when he came to Evesham, he strictly examined the internal and external state of the convent. And then he ordered that peace should, if possible, be made amongst them. And this composition was made between them, viz. that all rents should be assigned to their proper objects, and the customs relating to the cellar were reduced into writing, wherein provision was made against all the modes by which he oppressed them. They sent this to the Lord Legate, and he confirmed it. And thus they always grew better in adversities and tribulations.

In those days Maugerius, a just man, and one who feared God, was bishop of Worcester, and he, pitying the extravagancies of the Abbot, and compassionating the wretchedness of the convent, wished, by virtue of some authority from the.

tacionis venire. Set Abbas et conventus eum viriliter repulerunt. Et anno sequente p̄ industriam et laborem magistri Thome de Marleberg, monachi dicte domus, p̄curatoris in Romana curia existentis, cum Dei auxilio, lata est sentencia a Romano pontifice p̄ exemptione et libertate ecclesie Eveshamie contra episcopum. Quappter Abbas, p̄ exemptionem factus securus, quia nullo, nisi a dño Papa vel ejus legato, posset deponi, item quasi canis ad vomitum revertens, non omittebat p̄sequi universum conventum, tam suos fautores quam adversarios; et veluti neminem timens faciebat quodcunque volebat; et facta sunt novissima illorum p̄jora omnib3 prioribȝ.

Tandem cum p̄ septennium multa immobilia dilapidasset, et ecclesiam ære alieno ad mille marcas onerasset, et in tantum conventum depressisset, quod multi unde se cooperirent honeste, vel inundanti pluvia ubi caput suum reclinarent, non haberent; et multi fame et inedia affecirentur; missus est a dño Papa dñus Nicholaus Tusculanensis episcopus, legatus Romane sedis, p̄ quib3dam negocijs ecclesie Anglicane, qui cum Eveshamie causa visitacionis venisset, ex precepto ejusdem Legati, surrexit Thomas de Marleberg monachus, et statum domus eius retulit, et Abbatem coram eo accusavit, et super septem vel octo crimi-

Pope, to visit Evesham. But the Abbot and convent manfully repelled him. And the next year, by the industry and pains of Thomas de Marleberg, a monk of the house and its proctor at the court of Rome, by the help of God, a decree was obtained from the Roman pontiff, that the church of Evesham should be free and exempt from the Bishop's visitation. Then the Abbot, being secured by this exemption, as he could not be deposed except by the Pope or his legate, and like a dog returning to his vomit, persecuted the whole convent, as well friends as enemies, and, as if fearing no one, he did what he would, and his last deeds were worse than his first.

At length, after he had for seven years pulled down the fixtures, had burthened the church with debt to the amount of a thousand marks, and had so ruined the convent that many were not properly sheltered, and had not where to lay their heads from the showers of rain, and when many were worn out by hunger and want, Nicholas, Bishop of Tusculum, a legate of the Roman See, was sent by the Pope on business relating to the Anglican Church; and when he visited Evesham, Thomas de Marleberg, by his command, rose and stated the condition of the monastery, and accused the Abbot before him, and he convicted him of seven or eight crimes by his

nib3 p Abbatis confessionem et p rei evidenciam et p fratrum testimonium eum convicit; et ita depositus est Abbas Rogerus et exhabbas factus, anno dñi M°cc°xiij, omnib3 in conventu gaudentib3, quem Deus pdiderit imppetuum. Quinta post hanc diem ad petitionem conventus dedit ei dñus Legatus Prioratum de Penwortham ad vite sustentacionem. Quem post quinque menses ppter suos excessus ei abstulit. Qui tunc Romam adijt. Sed nec Abbaciam nec Prioratum nec eciam Monachatum huius ecclesie potuit optinere. Postmodum vero elapsis fere quinque annis a tempore sue depositionis miseratus illius dñus legatus Pandulphus, qui tunc legacionis officio fungeretur in Anglia, ne esset quovagus omnib3 dieb3 vite sue, restituit ei Prioratum de Penwortham. Vero quoscunque redditus conventui assignatos subtraxit. Vixit ibi postea annis ferme sex, nec unquam, hoc tempore pendente, voluit Abbati et conventui reconciliari, sicque multis laborib3 et miserijs fatigatus, ibidem vitam finivit, et in eodem Loco est sepultus.

Huic successit Randulphus, prior Wygornie, ob. xvj. kal. Jan. 1229.

Thomas de Marleberg, ob. ij. Id. Sept. 1236.

Ricardus Gras, prior de Hurleye, cancellarius totius Anglie, ob. v. Id. Dec. 1242.

Thomas de Gloucestria, stated by Dr. Nash to have been Prior of Penwortham, ob 28 kal. Jan. 1255.

Henricus, ob. id. Nov. 1263.

own confession and by the evidence of the fact and the testimony of the brethren. And so, to the joy of all the convent, in the year of our Lord M°cc°xiij., Abbot Roger was deposed and made exabbot, whom may God for ever destroy! Five days after, at the petition of the convent, the legate gave him the priory of Penwortham for his sustenance. But he took it again from him five months after, on account of his excesses. He then went to Rome. But he could obtain neither abbacy nor priory nor even monkhood in that Church. But five years after his deposition, Pandulphus, who then exercised the office of legate in England, out of pity, and to prevent his being a wanderer all the days of his life, restored him to the priory of Penwortham. But even then he took away certain rents which had been assigned to the convent. He lived there nearly six years, and never during that time expressed a wish to be reconciled to the Abbot and convent. And, oppressed with wretchedness, he died, and was buried in that place.

Willmus de Whitechurch ob. 3 non. Aug. 1282.
Johannes de Brokehampton, ob. 15 kal. Sept. 1316 (ante p. 28).
Willmus de Chyryton, ob. id. Dec. 1344 (ante pp. 22, 49).
Willmus de Boys, ob. 8 id. Junij 1367 (ante p. 51).
Robertus de Ombresley, ob. 30 Oct. 1379.
Rogerus Zatton, ob. 6 kal. Dec. 1418.
Ricardus Bromesgrave, ob. 10 Maij 1435.
Johannes Wykewan, ob, 1460.
Ricardus Penbrok, ob. 7 March 1467.
Ricardus Haukysbury, ob. 6 kal. Aprilis 1477 (ante p. 61).
Willmus Upton, ob. 21 July 1483.
Johannes Norton, ob. 2 July 1491.
Thomas Newbold, ob. 6 Dec. 1513.
Clemens Tichefeld, resigned (ante p. 77).
Philip Hawford, created 1539, and resigned the Abbey 17 November 1539 (ante p. 79).

No. LXIII. *Quædam spectantia ad consuetudines monasterij Eveshameij.*

[EVESH. CH. fo. 178.]

Abbas de novo creatus, si extra monasterium confectus,(1) cum redierit, cum festiva p̃cessione suscipiatur. Ipso vero a Priore installato, in omni loco est singulari reverencia honorandus. Cui omnes omnib̃ licitis reverentur obediantur. Transeunte eo p̃ claustrum vel ubicunque p̃ officinas regulares, preterquam in dormitorio, singuli standō inclinent ad eum quousque p̃transeat. Et quandocunque necesse fuerit, quocunque Abbas ambulat, preterquam in dormitorio, capellanus deferat lanternam accensam coram eo. Nullus tamen eo

(1) If the newly elected Abbot is consecrated out of the monastery, he shall, when he returns, be received with a festive procession. When he is installed by the Prior, he is everywhere to be honoured with particular reverence, and all must obey him in all lawful things. As he passes through the cloister, or through any of the regular offices, except the dormitory, all shall stand up, and bow to him, while he passes. When it is necessary, a chaplain shall carry a lighted lanthorn before him wherever he walks, except in the dormitory. No one may walk abreast of him,

collecraliter incedat, nisi ad missam. Ubicunque sederit, nullus juxta eum sedere presumat, nisi ipse jusserit. Jussus vero sedere, devote se reclinat, et sic humiliter juxta eum sedeat. Et notandum est, quod stallum Abbatis, seu sedile, ubi fuerit sessurus, semper ornatur quarello, sive sit revestatus, sive non. Quicunque etiam ei manu ullum dederit, vel de manu eius acceperit, osculetur manum eius. Quocunque vero sit, ibi debet ordo et disciplina. Quapropter in quocunque loco fuerit sive in claustro, sive extra claustrum, et reprehendet aliquem fratrem inordinate agentem, sive loquentem, mox ille coram eo veniam petierit humiliter, sicut in capitulo, et tandem stet ante illum, donec illum jubeat sedere. Abbas tamen ꝑvidere debet, ne hoc faciat coram secularib3 hominib3. In primo quidem capitulo Abbas sedet, omnes, qui intra monasterium obediencias habent, et res monasterij servant, suarum obedienciarum claves ante pedes eius ponant. Ipse vero recommandet in ipsas obediencias, si non aliter ordinandas esse decreverit. Omnis itaque totius monasterij ordinatio ex eius arbitrio pendeat. Si quod notum, necessitate cogente vel racione suadente, eo absente, in monasterio fuerit ordinatum, cum redierit, judicetur ei, et postea fiat sicut ipse preceperit. Abbas vero debet esse cautus in regimine, habitalis, castus, et misericors, solennis, et dñi precepta verbis et

except to mass. Wherever he may sit, no one shall presume to sit near him, unless by his order. If he bid any one sit, that person shall bow lowly, and then humbly take his seat, and it is to be observed that the Abbot's stall or seat shall be adorned with a quarellum, whether he be in pontificals or not. Whoever shall hand him anything, or receive anything from him, shall kiss his hand. Wherever he is, the strictest order and discipline must be observed. When he blames any monk who has behaved or spoken amiss, whether it be within or without the cloister, that monk shall himself sue for pardon, as he would in the chapter, and he shall stand before the Abbot until ordered to sit. But the Abbot must take care that this be not done before laymen. In the first chapter over which the Abbot presides, all who hold offices in the monastery shall lay the keys of their offices at his feet: but he shall restore their charge to them if it be not otherwise decreed. Thus the whole regulation of the monastery depends on his will. If in his absence, either through necessity or expediency, any new regulation be made, when he returns it shall be submitted to him, and then it shall be done as he may command. The Abbot ought therefore to be circumspect in his government, humble, chaste, and merciful, sober, and one who shows forth the divine precept both by words and

exemplis ostendens. Et quam frequentius poterit sit cum fratribꝫ in conventu reliquis, curam et diligentem solicitudinem gerens, de omnibꝫ ut de officio sibi commisso dignam Deo possit reddere rationem,

Servata Abbati in omnibꝫ reverencia, Prior, qui et prepositus in regula nominatur, honorabiliter est reliquis ministris domus Dei. Ipse pre ceteris post Abbatem potens sit in opere et sermone, ut extra vite verbo et doctrine suos fratres instruere possit in bono, et a malo revocare. Ipsi soli servit sacerdos in officio divino. Ea quoque que extra claustrum sunt, si Abbas deest, juxta ipsius arbitrium disponuntur. Quocies res expostulat, tenet aut teneri jubet capitulum de omnibꝫ servientibꝫ qui intra officinas monasterij conversantur. Et secundum crimina delinquentium, eo jubente, vindicte inferuntur. Transeunte eo p̄ claustrum vel p̄ chorum, non assurgitur illi; volente eo sedere in claustro, tamen alij fratres assurgunt illi, juxta quos sedere vult. Ubicunque extra claustrum fratres sedentes invenit, assurgunt ei omnes. Prior claustri sive custos ordinis quocunque major Prior est, si fieri possit in claustro vel extra claustrum semp̄ esse debet, et ordinem claustri omni sollicitudine servare. Quocunque major Prior, dum in monasterio est, concedere potest vel p̄hibere culpas vel indulgere. Hec quoque Prior claustri absente eo facere

actions. He should mix with the brethren as much as possible, using the utmost care and solicitude in all things, that he may render to God a proper account of the office entrusted to him.

Respect being always paid to the Abbot, the Prior, who is called Prepositus by the rule, must be held in honour by the other servants of the house of God. Next to the Abbot he should be mighty in deeds and words, that by the example of his life and doctrine he may lead the brethren in the good, and warn them from the evil path. To him alone is the officiating priest answerable. Everything without the convent is under his control in the Abbot's absence. When necessary, he calls the chapter of all the officials dwelling within the monastery. And at his command due punishment is inflicted upon delinquents. As he passes through the cloister or choir, it is not usual for the brethren to rise to him; but when he wishes to sit in the choir, those near whom he wishes to sit must rise. But whenever he finds any of the brethren sitting out of the cloister, they must all rise to him. The prior of the cloister, or the guardian of the order, ought always to attend the first Prior wherever he may be either in or out of the cloister, to preserve there good order. It is the duty of the first Prior, while in the monastery, to punish or pardon

potest, exceptis majoribꝫ causis quas vel ipsius majoris Prioris vel Abbatis judicio reservare debet. Isti custodes, sicut decani, eliguntur de notis monasterij melioribꝫ et prudentioribꝫ qui nec maliciose p̄ privato odio unquam clamorem de quolibet faciant, nec p̄ privata amicitia negligentia taceant. Alicubi hi religiose et ordinate se debent vigilare et exempla religionis videntibꝫ ostendere. Sit attente et reverenter audiendi sunt in capitulo. Auditis eis qui sponte venias petunt, istorum est precipue clamores facere.

Memorandum, quod ad anniversarium dompni Walteri de Walecote Prioris assignantur omnes redditus quos comparavit in villa de Evesham, et in Penwortham, quod elemosinarius noster, qui p̄ tempore fuerit, inveniat conventui ad anniversarium ipsius annuatim faciendum optimam pitanciam salmonis, vel alterius piscis melioris, qui tunc poterit invenire, una cum caritate vini optimi; et totum residuum p̄maneat imppetuum secundum discretionem elemosinarij paupibꝫ fideliter erogandum.

Memorandum, quod anno Dñi millesimo trecentesimo nonagesimo secundo, anno regis Ricardi secundi xv°, x. kaln. Maij, obijt pie memorie venerabilis Prior Nicholaus Herford, qui prioratum ecclesie Eveshamie devote et religiose vivendo p̄ xl. annos et quatuor ebdomedas sub ejus Abbatibꝫ rexit et obtinuit, et post ejus obitum multa beneficia et ecclesie ornamenta dicto monasterio, ad ejus anime salutem et in posterum exemplum reliquit * * * * *.

offences. In his absence this devolves on the prior of the cloister, except in those cases of moment which must be reserved for the judgment of the first Prior or the Abbot. These officials, like deans, must be chosen from the best and most prudent members of the convent; for they may neither accuse any one for private hatred, nor pass over any negligence through private friendship. Above all things they must conduct themselves righteously and orderly, that they may be examples to all who see them. They must be listened to attentively and reverently in the chapter. They must hear those who ask pardon. It is their especial duty to make complaints.

Memorandum — To the celebration of the anniversary of Walter de Walecote, Prior, are assigned all the rents which he acquired at Evesham and Penwortham, that the almoner for the time being may find for the convent, at that anniversary, the best pittance of salmon or some other fish of the best kind that can be procured, together with an allowance of the best wine; and the residue shall at the almoner's discretion be faithfully distributed amongst the poor. (See ante, p. 28.)

Nunc de libris tractandum est. Quosdam emit, et quosdam, mediantibꝫ scriptoribꝫ, componi fecit. De libris emptis primo incipiendum est

Summa predicantium, qui valet ix. marcas.

Burley super politicis, pretij vij. marcarum.

Burley super physices, pretij quatuor marcarum et dimidie.

Cowton, pretij septem marcarum.

Missale dimidij anni, pretij viginti marcarum.

Et sequentes libros componi fecit in parte:

Prescianus in constructionibꝫ.

Memoriale junioris, cum prato florum, in eodem volumine ligati.

Petagogicum grammatice super quatuor partes grammatice.

Nominale, cum diffinitione artium.

Quaterni grammaticales, quorum primus vocatur, Que meliora cum exoticon. Secundus, Notabilia Chatholicon. Tertius, Nominale, qui sic incipit, Heley, Heloy, cum quatuor partibꝫ grammatice. Quartus, qui sic incipit, Sicut et tertius. Quintus, Biblisworthe cum alijs tractatibꝫ grammatice. Sextus, Merarius cum ymnario glossato. Septimus, Guydo de vero dictamine.

Biblia.

Sinistra pars oculi.

Speculum curatorum.

Tabula super Augustinum de civitate Dei.

Manipulus florum.

Distinctiones.

Boetius de consolatione philosophie.

Dockyn.

Flores Bernardi.

Wallensis.

Summa conscientie.

Costeley super Apocalypsin.

Stimulus amoris, cum alijs tractatibꝫ in eodem volumine.

Vita sancte Eufrasie, cum alijs tractatibꝫ.

Egidius, de regimine principum.

Quaternus, de prima injungenda.
Quaternus, Summa Crisostomi cum alijs tractatib3 in eodem volumine.
Quaternus, Hugonis de Sancto Victore, cum alijs tractatib3 in eodem volumine.
Quaternus, de doctrina dicendi et tacendi.
Quaternus, de articulis fidei, cum alijs tractatib3.
Quaternus, de diabolicis fantasmaticis.
Quaternus legum, cum diversis tractatib3.
De origine religionis, secundum Ricardum Heremitam de Hanipole.
Quaternus de musica et arte metrice.
Quaternus de statutis Anglie, cum multis alijs tractatib3.
Holkote super sapientiam.
Purgatorium Patricij sancti.
Descriptio orbis, cum cronicis abbreviatis.
Primum Psalterium.
Primus liber de matutinis de Dña, cum septem psalmis primalib3.
Liber Job junioris.
Bernardus Cassinensis super regulam.
Smaragdus super regulam.
Quaternus de constitutionib3 Bernardi.
Quaternus, qui dicitur, Philosophia monachorum, cum diversis tractatib3 de ordine.
Quaternus super regulam, in papire non ligatur.
Quaternus niger qui dicitur, Formula novicorum.
Speculum stultorum.
Psalterium Geronimi.
Parvus liber, de septem artib3 liberalib3.
Quaternus major, de septem artib3 liberalib3.
Quaternus, de arte notatoria, cum alijs tractatib3.
Dissuasio Valerij ad Rufinum, de uxore non ducenda.
Quaternus, de peregrinatione terre sancte.
Bellum Trojanum, cum vita Alexandri in quaterno.
Quaternus, de fisica.
Quaternus Odorici cum alijs tractatib3.

Policronica, cum alijs tractatib3.
Bellum Troianum ligatum.
Alius quaternus de bello Troiano.
Cronice fratris Maunij primacij dñi Pape.
Cronice abbreviate in papiro.
Quaternus, de confessione.
Quaternus primarie institutionis monachorum.
Quaternus in inquisitionib3 faciendis in visitacionib3.
Liber agriculture.
Formula vite honeste.
Secretum secretorum.
Mort de Arthur, cum Sankreal, in eodem volumine.
Quaternus Gallicus de diversis materijs.
Imago de Mounde.
Beufis de Hampton.
Amys et Amylon.
Liber parvus narracionum.
Albumasar.
Johanne de Sacrobosco.
Quaternus, de compositione astrolabij, et ejus specieb3.
Quaternus, de divisione temporum.
Quaternus, de compotis.
Quaternus, de mirabilib3 mundi et astronomie.
Tabula Martiniani.
Johannes Androw.
Constituciones Pape Clementis.
Concordia discordantium.
Decretales ij.
Summa super titulis decretalium.
Johannes Androw super sex et septem libros decretalium.
Instituta.
Notabilia decretalium et decretorum.
Bromezart.
Parvus liber de oracionib3.

Precium istorum librorum cum quaternis discernet pij discretio legentis.

Precium librorum cum precibus scripture xlvij. marc. et dimid.

Precium pro factura unius mappe mundi, sex marc.

Cuius anime ꝑpitietur Deus, anima ejus et anime omnium defunctorum ꝑ Dei misericordiam in pace requiescant. Amen, Amen, Amen.

De Penwortham.

Rogerus ꝑmissione divina Coventrensis et Lichfeldensis episcopus, dilecto filio decano de Laylond salutem, graciam, et benedictionem. Cum religiosi viri Abbas et conventus monasterij de Evesham, Wygornensis diocesis, parochialem ecclesiam de Penewortham, nostre diocesis, se pretendant titulo canonico possidere et gerere duntaxat ꝑ aliquos monachos eiusdem monasterij seu alios vicarios temporales ꝑ voluntate Abbatum dicti monasterij, qui ꝑ tempore fuerant, removendos seu mutandos. Hactenus consueverunt omnia jura episcopalia solvere, et alia onera dicte ecclesie incumbentia supportare, ac prioratum quem apud Penewortham religiosus vir frater Radulphus de Wylicote monachus monasterij antedicti, prior de Penewortham ab aliquibꝫ appellatus, et frater Johannes de Merston eiusdem monasterij monachus occupare dicuntur obedientiam ejusdem monasterij, et eundem fratrem Radulphum ibidem duntaxat temporalem custodem, et ipsorum utrumque removendum sive mutandum ad arbitrium supradicti sui Abbatis, a nobis loci diocesano irrequisito fuisse et esse pretendant. Nos, ꝓut ad nostrum spectat officium, sup hijs plenius informari, et tam dictis religiosis quam ceteris in hac parte exhibere, volentes, justicii complementum vobis injungimus et mandamus quatenus Abbatem et conventum, Radulphum et Johannem predictos citetis ꝑemptorie, quod compareant coram nobis vel nostro commissario loco tali die tali ꝑemptorie ꝓposituri ostensuri et ꝓbaturi jus, si quod eis competat, in premissis facturi et recepturi quod justicia suadebit. Parochianos insuꝑ dicte ecclesie de Penwortham ac ex habundanti ꝓposito publice et solempniter in eadem parte citationis edito omnes et singulos si que fuit quorum interest vel interesse

poterit in hac parte peremptorie citetis, quod dictis die et loco coram nobis vel nostro commissario compareant, p jure suo, et informacione officij nostri, in dicto negocio ꝑposituri ostensuri et ꝑbaturi quicunque ꝑponere, ostendere, et ꝑbare, voluerint in hac parte ac in omnibus ꝑituri denunciantes eisdem quod sive venerunt, sive non, ꝓcedetur ꝑut in hac parte de jure fuerit ꝓcedendum. Et quod feceritis in premissis &c.

In Dei nomine, Amen. In negocio quod occasione ecclesie de Penwortham ac prioratus, custodie, seu obediencie de Penwortham, Coventrensis et Lichfeldensis diocesis, ac alijs dictum negocium tangentibꝫ, coram vobis venerabili patre dño Rogero, Dei gracia Coventrensi et Lichfeldensi episcopo, seu vestro Commissario, in hac parte, ex officio vel alia qualitercunque vertitur seu verti speratur. Ego ꝓcurator religiosorum virorum Abbatis et conventus monasterij de Evesham, Wygornensis diocesis, vobis nullo jure set sacro sedi apostolice immediate subrectorum nomine ꝓcuratorio p eisdem quacunque via juris dictis dñis meis et mihi eorum nomine melius competenti dico et ꝑpono coram vobis venerabili patre predicto seu vestro commissario in hac parte, quod ijdem religiosi, nomine suo et monasterij antedicti, dictam ecclesiam de Penwortham cum omnibꝫ juribus et ꝑtinencijs suis p titulo canonico intervenientibus omnibus et singulis quo de jure requirebantur in hac parte ad effectum plene juris adquisiti eisdem in ecclesia antedicta tanto tempore possederunt et possident, quod ex premissis super retencione et appropriatione dicte ecclesie iurium et ꝑtinentium eiusdem fuerint et fiunt titulo canonico sufficienter muniti. Prefatique religiosi penes quos qui p tempore fuerant tota ipsius ecclesie cura tam in spiritualibus quam in temporalibus ab olim notorie existebat et existit duntaxat p monachos eiusdem monasterij seu alios vicarios temporales p voluntate Abbatum dicti monasterij, qui p tempore fuerant, ad ꝑficiendos ac removendos seu mutandos absque presentacione qualibet vobis seu predecessoribus vestris aut institutione p vos vel eos in hac parte faciendis a tempore et p tempus, cuius memoria contra non existit, consueverunt omnia jura episcopalia solvere, et omnia alia onera dicte ecclesie incumbentia supportare, et effectualiter congruis loco et tempore iuxta juris

exigentia solverunt, ac etiam supportaverunt, que ꝑpetuis vicarijs seu presbiteris alias incumberent si eisdem ꝑventib3 dicte ecclesie fuisset portio assignata unde possent congruam sustentacionem habere, et predicta onera supportare, adeo quod illi omnino juris quidam in hac parte ꝑpetuum admittendi instituendi seu ꝑfitendi vobis dicto patri competere seu competijt seu competit quouis modo. Ad hec dictus Prioratus de Penewortham a tempore et ꝑ tempus cuius contraria memoria non existit et est duntaxat obedientia seu custodia monasterij antedicti nulla bona distincta a bonis dicti monasterij sicut appꝑriata habens; ac tam frater Rad. de Wylicote prior qui potius custos de Penewortham, quam omnes et singuli monachi qui successiue a tempore citra dictum prioratum seu obedientiam possederunt seu tenuerunt omni tempore dum possederunt vel tenuerunt eundem seu eandem, fuerunt dicti monasterij monachi, sub obedientia Abbatum eiusdem monasterij, qui ꝑ tempore fuerunt existentes, et duntaxat ibidem temporales custodes vobis seu predecessoribus vestris nullatenus presentati, nec ꝑ vos vel eos aliqualiter instituti. Quos omnes et singulos ijdem Abbates ꝑ ipsorum libito voluntate omni tempore supradicto effectualiter renotaverunt, ac alios eiusdem monasterij monachos duntaxat ibidem temporales custodes pro voluntate dictorum Abbatum removendos et mutandos, ac ad claustrum dicti monasterij revocandos, ad dictam obedientiam prefecerunt, quociens aliquis ibidem prior seu obedienciarius prefectus mutatus seu revocatus existit aliquo tempore temporis supradicti venerabilib3 patrib3 dñis Dei gracia Couentrensib3 et Lichfeldensib3 episcopis irrequisitis, et extra omnem possessionem premissorum existentibus in hac parte omni tempore supradicto, ijdemque monachi sic prefecti revocati et mutati premissis a tempore effectualiter ꝑvenire. Ac tam venerabiles patres Archiepiscopi Cantuarenses loci metropolitani quam episcopi supradicti, qui ꝑ tempore fuerant, successive in suis visitacionibus premissa omnia et singula ex certa sciencia toleraverunt et appbaverunt tam tacite quam expresse toto tempore supradicto. Quæ omnia et singula in partib3 de Penwortham et Evesham sunt adeo publica et notoria quod nulla poterunt tergiversacione celari. Quare peto ego ꝓcurator predictus, nomine quo supra, ꝑbatis hijs vel eorum vel

earum aliquo quæ vel quod sufficiant vel sufficere debeant in hac parte p̄ jure dictorum dñorum meorum in premissis ipsosque dictam ecclesiam de Penwortham cum oneribꝫ suis juribꝫ et p̄tinencijs fuisse et esse Abbatis dicti monasterij qui nunc est et successorum suorum monasterij eiusdem Abbatum removendos seu mutandos, onera supradicta plene subire, posse, et debere, ac non temere invitos ad habendum p̄petuum vicarium seu presbiterum in hac parte, dictumque Prioratum duntaxat obedienciam seu custodiam monasterij antedicti fuisse et esse, ac in futurum esse debere; et tam dictum fratrem Radulphum quam alios monachos antedictos, qui dictum Prioratum obedienciam seu custodiam hactenus possederunt seu ten uerunt, dictorum Abbatum fuisse, ac eundem fratrem Radulphum esse, ac tam ipsum quam omnes et singulos monachos dictum Prioratum custodiam seu obedienciam imposterum possidentes seu tenentes in futurum esse debere, duntaxat ibidem obedienciarios et temporales custodes in hac parte p̄ libito voluntate dicti Abbatis et successorum suorum, Abbatum monasterij, revocandos, ac dictos dños meos sup̄ premissis fuisse et esse sufficienter munitos, p̄ vos, dñe Judex, definitive et sententialiter p̄nunciari et declarari, ipsosque tamquam super premissis sufficienter munitos ab officio vestro in hac parte dimitti, ac dictis dñis meis et mihi, eorum nomine, in premissis et ea tangentibꝫ exhiberi in omnibꝫ justicie complementum premissa p̄pono et peto ego p̄curator predictus, nomine quo supra, offerens me ea quæ sufficere debeant in hac parte legitime p̄batura, juris beneficio in omnibꝫ semper salvo.

In Dei nomine Amen. Cum religiosi viri Abbas et conventus monasterij de Evesham, Wygornensis diocesis, parochialem ecclesiam de Penwortham, Lichfeldensis diocesis, pretendissent se titulo canonico possidere, et quod duntaxat p̄ aliquos monachos eiusdem monasterij seu alios vicarios temporales p̄ voluntate Abbatis dicti monasterij, qui p̄ tempore fuerat, removendos seu mutandos hactenus consueverunt, omnia jura episcopalia solvere, et alia onera dicte ecclesie incumbentia supportare, quæ p̄petuis vicarijs seu presbiteris alias incumberent, si eisdem de p̄ventibꝫ dicte ecclesie fuisset porcio assignata, unde possent congruam sustentacionem habere, et predicta

onera supportare, ac Prioratum quem apud Penwortham religiosus vir frater Radulphus de Wylicote, monachus monasterij antedicti, Prior de Penwortham ab aliquib3 appellatus, et frater Johannes de Merston eiusdem monasterij monachus, occupare dicebantur obedienciam eiusdem monasterij, et eundem fratrem Radulphum ibidem duntaxat temporalem custodiam, et ipsorum utrum removendum seu mutandum ad arbitrium supradicti sui Abbatis, nobis Rogero, ꝑmissione divina, Coventrensi et Lichfeldensi episcopo, loci Diocesani irrequisito, fuisse et esse pretendissent. Vos super hijs ꝑ servacione consciencie nostre et cuilibet ambiguitatis scrupulo in futurum penitus tollendo informari volentes predictos Abbatem et conventum Radulphum et Johannem ad ꝓponendum ostendendum et ꝓbandum jus, si quod competijt in premissis, ac parochianos dicte ecclesie de Penwortham ex habundanti ꝓposito publice et solempniter in eadem publica citatione edicto omnes et singulos si que essent quorum interfuit vel interesse potuit in hac parte, quod ꝓcessui nostro in hac parte faciendo interessent ꝑ jure suo et informacione officij nostri in dicto negocio ꝓemptorie ꝓpossituri ostensuri et ꝓbaturi, quantoque ꝓponerè ostendere aut ꝓbare vellent in hac parte ad certos diem et locum competentes coram nobis seu nostro commissario in hac parte ꝓemptorie fecimus evocari. Quib3 die et loco prefatis Abbate et conventu ꝑ ꝓcuratorem sufficientem, ac dictis fratrib3 Radulpho et Johanne ꝓsonaliter comparentib3, coram nobis, parochianis dicte ecclesie sepius preconizatis et sufficienter expectatis nullatenus comparentib3, eciam aliquo alio a predictis qui fuerant interesse in hac parte aliqualiter comparentes, ipsis, ut premittitur, contumaciter absentib3; omnes extunc quicunque in hac parte ꝓponendi ostendendi seu probandi preclusimus ꝑ decretum, ac ex parte dictorum Abbatis et conventus coram nobis fuit ꝓpositum et allegatum, quod ijdem Abbas et conventus nullo jure nobis vel sacro sancte Sedi Apostolice immediate subjecti dictam ecclesiam de Penwortham cum omnib3 jurib3 et ꝑtinencijs suis ex titulo canonico intervenientib3 omnib3 et singulis que de jure requirebantur in hac parte ad effectum pleni juris adquisite eisdem in ecclesia antedicta tanto tempore possederunt et tunc eciam possidebant, quod ex premissis super retencione et appꝓriacione dicte ecclesie

jurium et ptinencium eiusdem fuerant et erant titulo canonico sufficienter muniti, ac quod prefati religiosi penes quos qui p tempore fuerunt tota dicte ecclesie cura tam in spiritualib3 quam in temporalib3 ab olim notarie existebat et tunc fuerat duntaxat p monachos eiusdem monasterij seu alios vicarios temporales p voluntate Abbatum dicti monasterij, qui p tempore fuerant, admittendos pficiendos ac removendos seu mutandos, absque presentacione qualibet nobis seu predecessorib3 nostris seu institucione p nos seu eosdem predecessores in hac parte factis a tempore et p tempus cuius contra non memoria existit, consueverunt omnia jura episcopalia solvere, et omnia alia onera dicte ecclesie incumbentia supportare, et effectualiter congruis loco et tempore juxta juris exigentiam solverunt ac eciam supportaverunt, quæ ppetuis vicarijs seu presbiteris incumberent, si eisdem de pventib3 dicte ecclesie fuisset portio assignata, unde possent congruam sustentacionem habere et predicta onera supportare, adeo quod vel omnino juris queque in hac parte ppetuum admittendi instituendi seu pficiendi nobis competunt vel competit quovis modo. Necnon quod dictus Prioratus de Penwortham a tempore et p tempus cuius contraria memoria non existit fuerat et extunc erat duntaxat obediencia seu custodia monasterij antedicti, nulla bona distincta a bonis dicti monasterij habens et appropriata, et quod tam dictus frater Radulphus quam omnes et singuli monachi qui successive a tempore supradicto citra dictum Prioratum custodiam seu obedienciam possederunt seu tenuerunt omni tempore dum possederunt seu tenuerunt fuerunt dicti monasterij monachi sub obediencia Abbatum eiusdem monasterij qui p tempore fuerant existentes, et duntaxat ibidem temporales custodes, nobis seu predecessorib3 nostris nullatenus presentati, seu p nos seu eos aliqualiter instituti, et quod ipsos omnes et singulos ijdem Abbas et ipsorum libito voluntates omni tempore effectualiter revocaverunt et mutaverunt, ac alios eiusdem monasterij monachos duntaxat revocandos ad dictam obedienciam prefererunt quociens et quando aliquis ibidem Prior sue obediencie prefectus mutatus seu revocatus extitit aliquo tempore temporis supradicti, nobis et predecessorib3 nostris Coventrensib3 et Lichfeldensib3 episcopis irrequisitus, et extra omnem possessionem in hac parte omni tempore supradicto existentib3, ac

quod ijdem monachi sic prefecti revocati et mutati premissis a tempore supradicto effectualiter paruerunt; ac quod tam venerabiles patres Archiepiscopi Cantuarenses, Loci Metropolitani, quam predecessores nostri predicti qui p tempore fuerant, successive in suis visitacionibꝫ premissa omnia et singula ex certa scientia toleraverunt at appbaverunt tam tacite quam expresse toto tempore supradicto: et quod omnia et singula supradicta in partibꝫ de Evesham et Penwortham fuerant et tunc erant adeo publica et notoria, quod nulla poterunt tergiversatione celari. Quare dictus petit ꝑcurator, ꝑbatis hijs vel esse aliquo quo vel quod sufficient vel deberent sufficere in hac parte p jure dictorum dñorum suorum in premissis, ipsosque dictam ecclesiam de Penwortham cum omnibꝫ suis juribꝫ et ꝑtinencijs fuisse et esse canonice assecutos et eiusdem canonicas possessiones, ac ipsos dños suos duntaxat p monachos dicti monasterij seu alios vicarios temporales p voluntate Abbatis dicti monasterij et successorum suorum, monasterij eiusdem Abbatum, removendos seu mutandos, onera supradicta plene subire posse et debere, ac non temere invitos ad habendum ppetuum vicarium seu presbiterum in hac parte; dictumque Prioratum duntaxat obedienciam monasterij antedicti fuisse et esse ac in futurum esse debere; ac tam dictum fratrem Radulphum quam alios monachos antedictos, qui dictum Prioratum seu obedienciam hactenus possederunt seu tenuerunt dictorum Abbatum fuisse, ac eundem fratrem Radulphum tunc esse, ac tam ipsum quam omnes et singulos monachos dictum Prioratum seu obedienciam prius eum possidentes seu tenentes in futurum esse debere duntaxat ibidem obedienciarios et temporales custodes in hac parte p libito voluntate dicti Abbatis et successorum suorum Abbatum monasterij antedicti, revocandos et mutandos, ac dictos Abbatem et conventum sup premissis fuisse et esse sufficienter munitos ab officio nostro in hac parte dimitti, ac dictis dñis suis et sibi, eorum nomine, in premissis et ea tangentibꝫ exhiberi in omnibꝫ justicie complementum. Dictusque ꝑcurator, nomine dñorum suorum predictorum, premissa conjunctim seu divisim pponens optulit se ea ꝑbare que deberent sufficere in hac parte, juris beneficio semper salvo. Cumque ex parte dictorum dñorum parochianorum fratrum Radulphi et Johannis seu aliquorum aliorum

quorum interesse poterit in hac parte nichil fuisset ꝓpositum coram nobis quod ꝓcessum hoc in hac parte impedire deberet.

Nos post distinctionem ꝓpositorum et allegacionum ut premittitur ex parte dictorum Abbatis et conventus premissa supra ꝓposita et allegata admisimus, justicia suadente, dictisque ꝓcurator fratribꝫ Radulpho et Johanni super premissis de calumpnia et veritate dicenda juratis ijdem ꝓcurati fratres Radulphus et Johannes ꝑ nos interrogati in jure dicebant judicialiter coram nobis predicta ut premittitur ꝓposita et allegata ex parte dictorum Abbatis et conventus vera esse admissis vero ꝑ nos in forma juris ex officio nostro ꝓbacionibꝫ in hac parte rimatis et diligenter registris predecessorum nostrorum super deductis et ꝓpositis in hac parte:

Nos premissis et ceteris in hac parte ꝓpositis et ꝓbatis, exigente justicia, ponderatisque, invenimus dictos Abbatem et conventum intencionem suam in hac parte sufficienter ꝓbasse, juris ordine qui requirebatur in hac parte in omnibꝫ observato, Cristi nomine invocato, dictos Abbatem et conventum prefatam ecclesiam de Penwortham cum omnibꝫ suis juribꝫ et ꝓtinencijs fuisse et esse canonice assecutos, et eiusdem canonicos possessores, ac ipsos duntaxat ꝑ monachos dicti monasterij seu alios vicarios temporales ꝑ voluntate Abbatis dicti monasterij, qui nunc est, et successorum suorum, monasterij eiusdem Abbatum, removendos seu mutandos, onera supradicta plene subire posse et debere; ac non temere invitos ad habendum ꝓpetuum vicarium seu presbiterum in hac parte, dictumque Prioratum duntaxat obedienciam seu custodiam monasterij antedicti fuisse et esse, et in futurum esse debere, ac tam dictum fratrem Radulphum quam alios monachos antedictos, qui dictum Prioratum, custodiam, seu obedientiam hactenus possederunt seu tenuerunt dictorum Abbatum fuisse, ac eundem fratrem Radulphum esse, ac tam ipsum quam omnes et singulos monachos dictum Prioratum custodiam seu obedienciam imposterum possidentes seu tenentes in futurum esse debere duntaxat ibidem obedienciarios et temporales custodes in hac parte ꝑ libito voluntate dicti Abbatis et successorum suorum Abbatum dicti monasterij revocandos et mutandos, dictosque Abbatem et conventum sup premissis fuisse et esse sufficienter munitos: intervenientibꝫ omnibꝫ

et singulis que in hac parte requirebantur de jure, in hijs scriptis sentencialiter et diffinitive pnunciamus et eciam declaramus, ac eosdem Abbatem et conventum tanquam in hac parte sufficienter munitos et juris nostro examine dimittimus p decretum, justicia suadente.

Memorandum,(1) quod dñus Radulphus de Wylicote, quondam Prior de Penwortham, assignavit conventui pro minucione sexaginta solidos p annum de novo incremento suo. Et dompnus Willmus de Cheriton Abbas ipsam assignationem confirmauit anno dñi M.CCC.XX°.

Memorandum, quod conventus Eveshamie habebit de prioratu de Penwortham quolibet anno contra festum sancti Egwini sexaginta salmones, scilicet solanos, vel viginti quatuor majores qui faciunt summam: et preter hijs visitabit dictus Prior Abbatem de duobus majoribus salmonibus et Priorem de uno. Prior tamen nichilominus habebit unum de summa. Radulphus vero de Wylicote, tunc Prior de Penwortham, tempore suo mandavit singulis monachis salmonem integrum. Set modo illa consuetudo mutata est in certa summa pecunie, quam conventus recepit in recreatione minutorum.

Ad officinum(2) precentoris ptinet committere juvenib3 custodiam armariorum et eadem reparare. Et quandocunque conventus sedet in claustro circumeat, audito signo, claustrum; libros reponat, si forte p alicuius incuriam obliti fuerint. De universis monasterij libris

(1) See the note ante, p. 52. Memorandum, that Ralph de Wylicote, formerly the Lord Prior of Penwortham, assigned to the convent for the bloodletting sixty shillings per annum from his improved rents: and William de Cheriton, the Lord Abbot, confirmed that assignment in the year of our Lord 1320.

Memorandum that the convent of Evesham shall have from the Priorship of Penwortham yearly at the feast of St. Egwin sixty salmon, namely samlets, or twenty-four larger fish which make up that weight. Besides these, the said Prior shall present two larger salmon to the Abbot, and one to the Prior (of Evesham). The Prior shall nevertheless be allotted one out of that quantity. But Ralph de Wylicote, then Prior of Penwortham, in his time assigned a whole salmon to each of the monks. But lately that custom was commuted into a certain sum of money, which the convent received towards the expenses of bloodletting.

(2) It is the duty of the precentor to commit the almries to the young men, and to see that the same be repaired. And when the convent sits in the cloister, he must go round at a signal and replace the books, if by chance any one through carelessness shall have forgotten to do so. He must take charge of all the books in the

curam gerat, et eos in custodia sua habeat; si eius studij et scientiæ sit, ut eorum custodia ei debeat commendari. Nullo librum accipiat nisi scribatur in rotulo: nec alicui liber aliquis mutuo tradatur absque competenti et sufficienti memoriali; et hoc ponatur in rotulo. Ipsius est, et omni hora solerter ꝑvidere, ne eveniat negligentia in quocunque obsequio quod fit in monasterio. Si quis obliviosus non incipit, cum incipere debet, sive in eodem jam bene incepto aliquo modo deviaverit ipse debet esse ꝑvisus atque paratus ut sine mora incipiat quod incipiendum erat, vel eum qui fallendo deviaverat in viam reducat. Ad ipsius arbitrium cantus incipitur, elevatus remittitur. Nulli liceat cantum levare nisi ipse prius incipiat. Ipsius est notificare Abbati omnes cantus quos ipse cantat aut incipit. Quicunque lecturus aut cantaturus est adeo in monasterio si necesse habet ab eo priusquam incipiat debet auscultare. Cura brevium, que foras mitti solent, ad eum ꝑtinet, et cetera quam plurima in consuetutinibꝫ expressa.

Memorandum(1) est quod subsacriste est omnia ornamenta monasterij et omnia instrumenta et suppellectile que ad ipsum monasterium ꝑtinent custodire, horas ꝑvidere, cereos ꝑ tempore accendere in xij. locis. Evangelisterium in revestiarium portare quem Sacerdos ferat,

convent, and have them in his keeping, if, from his attainments and knowledge, he is worthy of the office. He may not receive a book from any one, unless it is entered in the roll; nor may a book bo delivered to any one, without a proper note being taken, which also shall be transcribed on the roll. It is also his place to take care that there shall be no negligence in any duties of the convent. If any one through forgetfulness shall neglect to begin [to chant] when he ought to begin, or having begun well, shall deviate from the proper tune, he must be prepared that without delay he should begin properly, or if he is wrong, that the mistake should be corrected. At his will the chant is begun or ended. No one except the precentor may begin to chant. It is his place to notify to the Abbot all the chants which he is to sing or lead off. Whoever is to read or chant in the monastery should, if he receive no notice to the contrary, listen to and follow his lead. The care of the briefs which are generally sent from the monastery devolves on him, and many other things which are expressed in the Institutes.

(1) Memorandum, that it is the duty of the subsacrist to keep all the ornaments of the monastery and all instruments and furniture which belong to the monastery, to provide the hours, and waxlights to burn in twelve places. It is his place to carry the Gospels into the Vestiary, which the priest may carry with the text each

cum incepto p singulos dies pcesserit ad altare, Sacerdote ab altari ad anologium reverso, absconsam cum candela ministrare; finitaque collecta, eandem absconsam recipere, et librum Evangelistarum reponere. Candelas eciam p officinas distribuet, secundum quod opus fuerit, et Abbas vel Prior preceperit. Ejus sollicitudinis est ampullas vinarias et aquarias qualibet septimana, et calices, cum opus fuerit, lavare, corporalia quorum ante Pascha semper et quociens reliquis anni partib3. Expedit utrumque lavare, si Diaconus aut Presbiter sit, si vero non sit Abbati vel Priori judicare, et ipsius licencia alicui qui hujus ordinis sit hanc curam commendare. Lavandis corporalib3 quanta possit diligentia adhibeatur. Vasa ænea, ad nullos alios usus destinata, ad hoc opus habeantur. Aqua qua lavantur sicut et calicum in sacrarium p̄jiciatur locis dum sictantur, ne alique sordes adhereant, omnib3 modis p̄videatur. Cura faciendi hostias super eum est, quia ut mundissime et honestissime fiant suo in opere studere debet. Imprimis, si fieri potest, frumentum cum magno studio granatim eligatur. Electum in sacculo mundo et de bono panno facto, et ad opus tantum parato, ponatur, et a famulo boni studij ad molendinum deferatur. Quo delato, famulus aliud frumentum in ipso molendino moli prius faciat, ut illud unde hostie fieri debent sine aliqua sorde

day he shall go to the altar. The priest having returned from the altar to the lectern, he must carry a dark lanthorn with a candle, and when the collect is finished he must receive the lanthorn and replace the book of the Evangelists. He must also distribute candles in the offices according to need, and as the Abbot and Prior shall order. He must take care to wash the ampullæ for the wine and water every week, and the chalices when necessary, the corporals always before Easter and as often as necessary during the rest of the year. It is right that he should wash both if he be a Deacon or Priest, but if not, the Abbot or Prior must judge. In washing the corporals the greatest care must be used. Brazen vessels, used for no other purpose, must be provided. The water in which they and the chalices are washed must be thrown into the sacrarium, and when they are wiped the greatest care must be taken that no dust should remain. The care of preparing the host is on him, and he must take care that all on his part is done very cleanly and properly. First, if it can be done, the corn must be picked out grain by grain with great care. When chosen, it must be placed in a clean sack, made of good cloth for the purpose, and taken to the mill by a servant of good character. When there the servant should cause the other corn in the mill to be ground, in order that the corn from whence the host is to be made should be ground without any mixture. When the flour

moli postea valet. Reportata farina, sacrista vas et locum quo farina buletari debet in circuitu cortinam paret, et ut honesta persona hoc opus agat ipsemet ꝑvideat. Unus ministrorum super tabulam mundissimam ipsam farinam aqua consꝑgat, et manib3 fortiter compingat et maceret. Serviens qui ferra in quib3 coquuntur tenet rochetas habeat inviolatas. Interim dum ipse hostie fiunt et coquuntur silencium loquendi omnino teneant. Illi tamen qui ferra tenet, si necesse sit, breviter quod vult indicare potest famulo, qui focum facit et ligna portat, que debent esse valde sicca et ante multos dies de industria preparata.

Memorandum quod frater Johannes de Brumesgrave sacrista dimisit et habuit ecclesie libros quamplures, videlicet,

Summa Summarum.
Summa confessorum.
Speculum curatorum.
Decretale Bybliani.
Catholicon.
Legenda sanctorum.
Ysidorus de summo bono.
Expositio Evangelistarum.
Oculus sacerdotum.
Lumen laicorum.
Liber narracionum.
Breviarium duorum voluminum.
Diurnale liber oracionum.

is returned, the sacrist must place a curtain round the vessel and place where the flour may be boulted, and he should provide a proper person to perform this work. One of the servants then must sprinkle the flour with water on a very clean table, and should strongly knead it with his hands. That servant who holds the irons in which it is baked must have his hands covered with clean rochets. The greatest silence must be kept whilst the host is made and baked; only the servant who holds the irons, when necessary, may briefly tell what he wants to the servant who makes the fire and carries the wood, which latter ought to be very dry and carefully prepared many days before.

Camerarij(1) est ex antiqua consuetudine ꝑcurare omnia vestimenta et calciamenta et lectos et stramenta lectorum que fratribus sunt necessaria, et juxta regulam habere concessa. Inveniat eciam sissorem ydoneum qui quidem faciet omnia vestimenta monachorum ad artem suam ꝑtinentia.

Hostilarius, qui ad suscipiendos hospites deputatus est, in ipsa hospitum domo hec preparata debet habere, videlicet lectos, sedilia, mensas, manutergia, mappas, sciphos, scutellas, coclearia, batillia, et siqne sunt huiusmodi. In hospitum autem susceptionem, ut regula monet, omnis exhibeatur humanitas. Si vero Episcopus, vel Abbas, vel Prior conventualis, hospitati fuerint, inveniet sacrista ꝑ tempore duos cereos ardentes coram eisdem cum cubent. Celerarius autem ignem et huiusmodi. Hostilarius vero inveniet carbonem et candelam alijs viris religiosis, et probendham equis eorundem juxta numerum taxatum in consuetudine, equis, videlicet, virorum non excedentium numerum senarium ex una domo, videlicet, ꝑ duob3 equis unum habeat rasum. Quando vero plurimi de domib3 diversis fuerint, et nullus eorum ꝑ se predictum excedat numerum omnib3 inveniet hostilarius quot quot fuerint necessaria.

Memorandum(2) quod hostilarius qui ꝑ tempore fuerit tenetur inve-

(1) It is the duty of the chamberlain, according to ancient custom, to find all vestments, shoes, and beds, and straw for the beds, which are necessary for the monks and according to the rule. He must also find a proper tailor who shall make all monks' vestments pertaining to his art.

The hostiler, who is deputed to receive strangers, must have these things ready in the guests' chamber, namely, beds, seats, tables, napkins, towels, saucers, dishes, spoons, fire shovels, and other things of that kind. In the reception of guests, as the rule prescribes, all courtesy must be shewn. If indeed a Bishop or Abbot or conventual Prior shall be guests, the sacrist for the time being shall find two waxlights to burn before them when they go to bed. But the cellarer must find fire and things of that kind. For other religious men, the hostiler shall find coal and candle, and provender for their horses according to the number allowed in the custom; viz. for the horses of men not exceeding six from one house, one strike of corn for every two horses. But when there shall be more from different houses, and none of them shall exceed that number, then the hostiler shall find whatever is necessary.

(2) Memorandum, that the hostiler for the time being is bound to find for the Prior

nire Priori de Penwortham in egressu de Abbacia ad Penwortham, et in regressu de Penwortham ad Abbaciam fenum et probendham p̄ suo equo, et p̄ equo qui portat lectum suum, si cum lecto vadat vel veniat, et p̄ equo socij sui si socium habeat et p̄ equo quo armiger si armigerum habeat. Et licet cum pluribus equis vel armigeris vadat vel veniat, tamen hostilarius invenire non debet probendham, nisi tamen p̄ equo unius armigeri et p̄ equis predictis, et tunc invenire debet p̄ supradictis equis probendham et fenum duabus noctib̄ in egressu ad Penwortham, et in regressu vero eiusdem Loci invenire debet hostilarius predictis equis si cum tot equis veniat trib̄ noctib̄, si p̄ tot noctes moratur. Et similiter si socius eius veniat solus, vel cum solo armigero, invenire debet hostilarius probendham predictis equis tres noctes in regressu, et duas noctes in egressu, nec amplius invenire debet fenum nec probendham nec lectos nisi voluerit de sua magna gracia. Nec invenire debet hostilarius nullo modo probendham equis Prioris portantib̄ salmones nec fenum nec lectos p̄ garcionib̄ nisi voluerit de sua magna gracia.

Ad hostilarium p̄tinet extraneum monachùm et ceteros religiosos, qui ignari loci sunt, p̄ claustrum in monasterium ad orationem ducere, volentib̄ officinas videre ipsas officinas ostendere, observato ut conventus tunc in claustro non sedeat, nec aliquem ocreatum vel calca-

of Penwortham on his departure from the Abbey to Penwortham, and on his return from Penwortham to the Abbey, hay and provender for his horse, and for the horse which carries his bed, if he travel with a bed, and for the horse of his companion and his squire if he travel with a companion or squire. And if he travel with more horses or squires, yet the hostiler ought not to find provender except for the horse of one squire and for the horses above mentioned. And then he must furnish hay and provender for two nights on their journey to Penwortham. On their return he must supply provender for three nights if required. So if his companion should come alone or with a single attendant, the hostiler must furnish provender for three nights on his arrival and for two at his departure. Nor ought he to find more hay, provender, or beds except by special favour. Neither ought he to find in any wise provender for the Prior's horses which bring the salmon, nor hay nor beds for the servants, except by especial favour.

It is also his office to conduct foreign monks and other religious who are ignorant of the place to prayer through the cloisters into the monastery. If they wish to see the offices, he is to conduct them thither, if the convent is not then sitting in the cloister. He must not on any account introduce any one booted or

riam habentem, nec aliquem qui nudis pedib3 sit, vel solis femoralib3 calciatus, in claustrum p̄ qualibet causa introducat. Ad eum et p̄tinet occulare homines qui societatem fratrum suscepturi sunt in capitulum adducere. Suum preterea est novicios qui de seculo veniunt, in capitulo conducere, et eos docere suam petitionem facere. Ipsius est pre omnib3 solicite observare de fratrib3 qui licenciati exeunt, vel ad monasterium redeunt, utrum famulos ydoneos et sellam regularem habeant, et quomodo se in curia commeant, ut si extra ordinem ullum fecerint, clamorem inde sup̄ eos in capitulo faciat.

Elemosinarius(1) autem p̄ se, si oportunum sibi est, p̄quirat p̄ veraces homines et fideles cum multa sollicitudine p̄quiri faciat ubi egri et debiles jaceant, qui non habent unde se sustentare valeant. Si ipsemet ad p̄quirendum et visitandum perrexerit duos famulos secum habeat; et priusquam intrat domum ad quem iturus est, mulieres, si alique in ea sint, exire faciat. Ingressus domum blande consoletur egrum, et offerat ei quod melius habeat, et sibi intelligitur esse necessarium. Quod si eger aliud requirat et ipsum p̄quirat si aliquo modo habere potuerit. In eas autem domos, in quib3 mulieres egre et debiles jacent, nunquam intret, set p̄ unum de famulis suis quod necessarium est transmittat. Prius tamen quam aliquid de supradictis agat Abbati vel Priori indicet, ut secundum eorum disposicionem elemosinam monasterij eis dispensat.

spurred or barefooted into the cloister. So he must conduct the seculars who wish to fraternize with the brethren into the chapter house. He must also take the charge of conducting novices into the chapter and teach them to make their petition. Above all things he must anxiously observe the brethren who are licensed to go out or return to the monastery, whether they have proper attendants or a saddle according to rule; how they behave in the court, that if they do anything contrary to rule, he may complain against them in the chapter.

(1) The almoner must anxiously enquire either personally, if convenient, or by truthful and faithful persons, where the sick and infirm are who cannot maintain themselves. If he makes personal inquiries, he must take two servants with him; and before he enters any house, he must cause the women, if there are any within, to depart. When he enters the house, he must console the sick, and offer the best he has and what in his judgment is necessary. If the sick person requires anything more, he must send for it. He must not enter a house where sick and infirm women are, but must send everything necessary by a servant. But before he does so, he must inform the Abbot or Prior; and according to their direction must dispense the alms of the monastery.

No. LXIV. *Grant by Henry the Eighth of the priory of Penwortham and of the manor of Caldewyk and rectory of Elaston to John Fletewode.*(1)

[WERDEN PAPERS.]

Rex omnib3 ad quos &c. salutem. Cum Philippus dudum Abbas nuper monasterij de Evesham in com. Wygorn. et eiusdem Loci conventus per eorum indenturam sub sigillo suo conventuali confectam gerentem dat. in domo sua conventuali vicesimo die ffebruarij anno regni nostri tricesimo tradiderunt, concesserunt, et ad firmam dimiserunt Johanni ffletewod de London generoso totum illud dñium et manerium de Penwortham cum omnib3 et singulis suis ꝑtinencijs in com. nostro Lancastrie: ac omnia terras, tenementa, domos, orrea, stabula, edificia, molendina, campos, pasturas, prata, pascua, moras, mariscos, boscos, subboscos, et communas, redditus, reversiones, servicia, curias lete, ac ꝑficua eorundem, libertates, extrahuras, exitus, fines, et amerciamenta, stagna, aquas, piscarias, warrenas, turbarias, ac vasta, cum omnib3 et singulis eorum ꝑtinencijs in com. Lancastrie predicto: ac eciam omnia et singula alia terras, tenementa, et hereditamenta, possessiones, ꝑficua, et commoditates tam spiritualia quam temporalia quecunque dicto manerio quoquo modo spectantia vel ꝑtinentia vel parcellam eiusdem Manerij sive dñij reputata cognita seu accepta existentia, aut cum dicto manerio sive dñio locat. seu dimiss. existentia, seu aliquo tempore ante dat. dicte indenture reputat. cognit. vel accept. existentia vel parcellam vel membra aliquarum terra-

(1) Amongst the Werden papers there is the following abstract of this grant. The column of the annual value is extracted from "the transcript of the particulars for grant to John Fletwode, 34 H. 8," given in Dugdale's *Monasticon*. The closes marked with an asterisk are still known by the names here given.

The names of the severall closes, lands, and tenements menconed to bee granted by King Hen. the eighte by his lrs pattente bearinge daite the xxiiij daye of Januarii in the xxxiiij yeare of his reigne unto John ffleetwood Esquire and his heires as laite belonginge to the scite of the priorye of Penwortham in the Countie of Lancaster, viz.:

rum, tenementorum seu hereditamentorum que dictus nuper Abbas et nuper conventus habuerunt, occupaverunt, aut gavisi fuerunt

			valet communibus acris per annum.		
ffirste, the scite of the priorye, cell, manor, or grange of Penwortham			1	0	0
One closse of land (terra arabilis) called the Orchard feld, cont. by estimacon	xiij	acrees	0	8	8
All that closse of land (terra arabilis) called the Butts,* cont. by est.	iij	„	0	2	6
The Townfeild,* (terra arabilis) cont. by est.	xiiij	„	0	9	4
Hereford Rydinge,* att Hangmansbancke* and ffery-manheye,* (que quidem pastura supercrescitur cum vepribus) cont. by est.	xij	„	0	12	0
Two closses of land (terra arabilis unde 4 acre super-crescuntur cum les shrubbys) called the Blasshes,* cont. by est.	xxviij	„	1	3	4
The New closse (terra arabilis) and shrubbs, called Aspleye, cont. by est.	xvij	„	0	13	2
One closse, (pasturæ modo in culture) called the Over Eye,* cont. by est.	viij	„	0	9	4
One other closse, (pasturæ) called the Neither eye,* cont. by est.	vj	„	0	7	0
A meadowe called Blasshawe* meadowe, cont. by est.	vij	„	0	14	0
There is alsoe granted to the said John ffleetwood by the same lres pattente the eighte pte of the water and fishinge in Rible from Evyn poole unto the head of the Marshe of Penwortham and Houghwick.			1	0	0
And also all that turbarie and comon of Turbarie laitlye belonginge to the said Priorie of Penwortham			0	3	4
			7	2	8

And the reversion of all that grove of wood adioyninge to the scite of the said priorye or cell of Penwortham, and to the same belonginge, conteyninge by estimacon iij rood lands. [In "the transcript of the particulars" this is given more fully. "Mem. that ther ys adioyninge to the house of Penwortham a little grove of wodd of oke and asshe conteyninge by estymacon three rodde and more, which ys compassed with aleys, and lykewyse with crosse aleys in the midle, which wodde ys a greate pleasur and comoditye to the said house."]

And also seaven poundes three shillinge eighte pence yearlie, beinge pcell of the rent of lxxxxix^{li} v^{s} iij^{d} reserved upon the said John ffleetwood's leasse.

And also the patronage of the rectorie and pish church of North Meyles.

And also the advowson, gifte, free disposition, and patronage of the Vicaridge of Leyland.

ratione aut p nomen manerij sive Dñij aut rectorie, grangie, seu firme sue de Penwortham predicta aut eorum alicuius, aut p aliqua eorundem nomina cognita existentia in dicto comitatu Lancastrie vel alibi in comit. Cestrie: Et predicti Abbas et conventus p Indenturam predictam tradiderunt, concesserunt, et ad firmam dimiserunt prefato Johanni ffletewoode executoribꝫ et assignatis suis totam illam rectoriam suam de Penwortham predictam, ac rectoriam de Laylonde in dicto comitatu Lancastrie, ac omnes et omnimodas decimas, pensiones, porciones, et omnes terras, glebas, tenementa, domos, orrea, stabula, edificia, pastura, pascua, prata, boscos, ac servicia ac omnia alia hereditamenta tam spiritualia quam temporalia cum omnibꝫ et singulis suis ptinencijs quibꝫcunque dictis rectorijs seu earum alteri quoquo modo spectantibꝫ vel ptinentibꝫ situat. jacentia et existentia

And also there is granted to the said John ffleetwood all suche and like courts, viewe of franck pledge, and all which to viewe of franck pledge apperteyneth, as also assize of wyne, bread, and aile; and also wayffes, strayes, goods of ffelons and fugitives, free warren, within the said scite lands thereunto before granted in as ample and large manner as the Abbot of the said monasterie of Evesham or anye his predecessors in the right of the said monasterie att anie tyme hadd.

And also the reversion of the manor of Calwigge, and the rectorie of Elliston in the Countie of Stafford, and the reversion of all messuages, lands, &c. in Calwigge and Elliston in the said countie of Stafford, which Rauffe Longforde knight did holde by Indenture, and the rent of xliij^{li} reserved upon the said Indenture laite pcell of the monasterie of Marton (Merton) in the Countie of Surreye.

And also that grove of woode called Calwigge grove, conteyninge by estimacion iij acrees.

And all those lands and woodes knowne by the name of Calwigge comon, Prestwood grove, North Woodclyffe, Ellaston, Stayaton, and Pamyston, in Calwigge and Ellaston aforesaid, to the said monasterie of Marton laitlye belonginge.

And also within the said manor of Calwigge and rectorie of Ellaston and the said messuage and lande in the Countie of Stafford, all suche leete courts, viewe of franck pledge, assyse of bread, wyne, and aile, felon's goods, wayffe and straye, free warren, and other liberties whatsoever, or anye the Prior of the said monasterie of Marton at anye tyme hadd, belonginge to the said lands.

Rendringe to the said Kinge the yearlie rent of ix^{s} and ix^{d} for the said priorie and lands of Penwortham; and the same land of that Priorie is holden of the Kinge by knights' service and the xxth pte of a knight's fee.

And the lands in Staffordshire are holden of the Kinge by knights' service and the xxth pt of a knight's fee. And for the yearlie rent of iiij^{li} vj^{s}.

in Parochiis de Penwortham et Laylonde predictis, seu in earum altera, vel in aliqua alia villa, hamletta, seu loco in predicto comitatu Lancastrie, vel alibi in dicto comitatu Cestrie, que fuerunt cognita, reputata, seu accepta, p aliqua parte, parcella, vel membris predictarum rectoriarum seu earum alterius aliquo tempore ante confectionem indenture predicte. Exceptis et omnino reservatis predictis Abbati et conventui ac earum successoribꝫ advocacione vicarie ecclesie de Laylonde predicte, ac eciam advocacione rectorie de Meles in predicto comitatu Lancastrie. Habenda, tenenda, occupanda, et gaudenda omnia et singula predicta manerium et dñium de Penwortham predicta, ac rectorias de Penwortham et Laylonde predictas ac omnia et singula premissa cum suis ptinencijs prefato Johanni ffletewoode executoribꝫ et assignatis suis a festo sancti Michaelis Archangeli ultimo preterito ante dat. dicte Indenture usque ad finem et terminum nonaginta et novem annorum extunc proxime sequentium et plenarie complend. Reddendo et solvendo inde annuatim, durante termino predicto, prefatis Abbati et conventui et eorum successoribꝫ nonaginta novem libras quinque solidos et tres denarios sterlingorum in die festi sancti Martini episcopi in hieme ad unam solam et integram solucionem annuatim apud Evesham predictam solvend. primo termino solucionis inde inceptur. et fiend. ad dictum diem festi sancti Martini ad tunc proxime sequentis post dat. dicte Indenture, ꝑut p Indenturam predictam, inter alia, plene liquet. Cumque eciam nos per quandam Indenturam sub magno sigillo nostro curie nostre augmentacionum revenscionum corone nostre fact. inter nos ex una parte, et Radulphum Longforde militem ex altera parte, gerent. dat. apud Westm. septimo die Augusti anno regni nostri tricesimo quarto tradiderimus prefato Rad. Longford totum manerium de Caldewyche, et totam rectoriam de Elaston cum omnibꝫ et singulis eorum ptinencijs in com. Stafford. nuper monasterij de Merton in com. Surrey adtunc dissoluti dudum spectantia et ptinentia. Habend. et tenend. manerium et rectoriam predicta et cetera omnia et singula premissa prefato Radulpho Longford et assignatis suis a festo sancti Michaelis archangeli adtunc proxime futuro usque ad finem viginti et unius annorum extunc prox. sequentium et plenarie complend. Reddendo inde an-

nuatim nobis heredib3 et successorib3 nostris quadraginta et tres libras legalis monete Anglie ad festa Annuntiationis beate Marie virginis et sancti Michaelis archangeli p equales porciones durante termino predicto, put p Indenturam illam inter alia plenius apparet. Sciatis quod Nos p summa octingentarum(1) nonaginta trium librarum, octodecim solidorum, et octo denariorum legalis monete Anglie ad manus Thesaurarij nostri Curie nostre augmentacionum Revencionum corone nostre ad usum nostrum p dictum Johannem ffletewoode solut. de qua quidem summa octingentarum nonaginta trium librarum, octodecim solidorum et octo denariorum fatemur nos plenius fore satisfact. dictumque Johannem ffletewoode heredes executores et administratores suos inde acquietamus et exoneramus et p presentes de gracia nostra speciali ex certa sciencia et mero motu nostris dedimus et concessimus ac p presentes damus et concedimus prefato Johanni ffletewoode reversionem et reversiones capitalis domus et scitus nuper Prioratus sive celle vel manerij aut grangie de Penwortham in dicto comitatu nostro Lancastrie, dicto nuper monasterio de Evesham in dicto comitatu nostro Wygorn. modo dissoluto dudum spectantia et ptinentia: Ac omnium domorum columbarum, orreorum, stabulorum, curtilagiorum, gardinorum, stagnorum, vinariorum, terre et soli tam infra quam extra scitum et precinctum eiusdem nuper prioratus sive celle vel manerij aut grangie de Penwortham existentie, aut eidem nuper Prioratui seu celle adiacentie: Necnon reversionem et reversiones totius clausure terre vocate le Orcharde feilde continentis p estimacionem tresdecim acras in Penwortham in dicto com. nostro Lancastrie, ac totius clausure terre vocate le Buttes continentis p estimacionem tres acras in Penwortham predict.; et totius clausure terre vocat. le Towne felde contin. p estim. quatuordecim acras in

(1) 26 die Decembris anno 34 Henr. regis 8. } The yerely valewe of the premisses is £47. 17. 0., whereof deducte for the tenth £4. 15. 9. and then remayneth clere £43. 0. 15^{d} whiche ratid at twente yeres purchase dothe amounte to the sum of £861. 5. 0: adde therto for the woode growing upon the premisses £13. 10. 0: adde therto alsoe the patronage of the church of North melys and for the vicarage of Leylonde £19. 3. 8 which in the hole dothe amounte to the summ of £893. 18. 8. — *Transcript of Particulars.*

Penwortham predict.; ac totius illius clausure pasture vocat. Hereforde Riddyinge contin. p estim. duodecim acras apud Hangmansbank et fferrymanhey in Penwortham predict.: Necnon duarum clausurarum terre vocat. le Blasshes contin. p estim. viginti octo acras in Penwortham predict: ac unius clausure terre vocat. le Neweclose, et unius parcelle subbosci de le Shrubbes vocat. Aspeleys contin. inter se p estim. septemdecim acras in Penwortham predict.: ac unius clausure pasture vocat. Over Eye contin. p estim. octo acras: ac unius clausure pasture vocate le Nether Eye contin. p estim. sex acras in Penwortham predict: Ac totius prati vocati Blasshawe medowe contin. p estim. septem acras in Penwortham predict. Quequidem capitalis domus et scitus, dicti nup Prioratus, sive Celle, vel manerij aut Grangie de Penwortham ac predicte terre, prata, pasture et cetera premissa in Penwortham predicta sunt parcelle dictarum terrarum, tenementorum, hereditamentorum, et possessionum dicto Johanni ffletewoode p Indenturam predictam in forma predicta dimiss.: Damus eciam et p presentes concedimus prefato Johanni ffletewoode reuersionem et reversiones octave partis piscationis et piscium in aqua de Rybbell, videlicet a quodam loco vocato Evyn pole, alias dicto Ivye poole, usque ad caput de le Marshe in Penwortham et Houghwyke seu in earum altera in dicto comitatu nostro Lancastrensi: Quequidem octava pars piscationis et piscium in aqua de Rybbell predicta dicto nuper Prioratui sive celle de Penwortham dudum spectabat et ptinebat et fuit parcella premissorum eidem Johanni ffletewoode ut prefertur dimissorum: Ac etiam damus et p presentes concedimus prefato Johanni ffletewoode reversionem et reversiones totius turbarie dicto nuper Prioratui sive celle de Penwortham dudum spectantis in Penwortham predicta: ac reversionem et reversiones totius grove bosci nostre continentis p estimacionem tres rodas in Penwortham predicta, videlicet, adiacentis dicto scito dicte nuper Prioratus sive celle de Penwortham, ac eidem nuper Prioratui sive celle de Penwortham dudum spectantis et ptinentis: ac etiam damus et p presentes concedimus prefato Johanni ffletewoode septem libras, tres solidos, et octo denarios annuatim parcell. dicti redditus nonaginta novem librarum quinque solidorum et trium

denariorum p predictam Indenturam prefato Johanni ffletewoode, ut prefertur, confect. reservat. Necnon totum domum et scitum dicti nuper prioratus, sive celle, vel manerij, aut grangie de Penwortham in dicto comitatu nostro Lancastrensi, dicto nuper monasterio de Evesham nuper spectantem et ptinentem, ac parcellam possessionum eiusdem nup monasterij existentem: ac omnia mesuagia, domos, edificia, orrea, stabula, columbaria, curtilagia, stagna, vinaria, pomaria, terras, et solum nostra tam infra quam extra scitum, septum, ambitum, circuitum, et precinctum eiusdem nup prioratus sive celle, vel manerij, sive grangie de Penwortham existentia, aut eidem nup Prioratui, sive celle, aut manerio, vel grangie de Penwortham adiacentia. Necnon totum illud clausum terre nostrum vocatum le Orcharde ffelde contin. p estim. tresdecim acras: Ac totum illud clausum terre nostrum vocat. le Buttes contin. p estim. tres acras: necnon totum illud clausum terre nostrum vocat. le Townefeld contin. p estim. quatuordecim acras: Ac totum illud clausum pasture nostrum vocat. Hereford Ryddynges contin. p estim. duodecim acras apud Hangmansbank et fferrymanhey; Ac omnia illa duo clausa terre vocat. le Blasshes contin. p estim. viginti et octo acras: Ac eciam totum illud clausum terre nostrum vocat. le Neweclose et unam parcellam subbosci de le Shrubbes vocat. Aspeleys contin. inter se p estim. septemdecim acras: Et totum illud clausum pasture nostrum vocat. Over Eye contin. p estim. octo acras: ac totum illud clausum pasture nostrum vocat. le Nether Eye contin. p estim. sex acras: et totum illud pratum nostrum vocat. Blasshawe medowe contin. p estim. septem acras, cum omnib3 et singulis eorum ptinentijs universis iacentib3 et existentib3 in Penwortham in dicto comitatu nostro Lancastrensi dicto nuper Prioratui, sive Celle de Penwortham dudum spectantib3 et ptinentib3, ac parcellam possessionum inde existentium: Quequidem nuper Prioratus sive Cella de Penwortham dicto nuper monasterio de Evesham spectabat et ptinebat: Damus et p consideratione predicta p presentes concedimus prefato Johanni ffletewoode octavam partem piscationis et piscium in aqua de Rybell, extendentis a quodam loco vocato Evyn poole alias dict. Ivye poole usque ad caput de le marshe in Penwortham et Houghwyke, seu in

earum altera in dicto comitatu nostro Lancastrie, dicto nup Prioratui sive celle de Penwortham dudum spectantem et ptinentem ac parcellam possessionum inde existentium: Necnon totam turbariam nostram et communam turbarie in Penwortham predicta dicto nup Prioratui sive celle de Penwortham dudum spectantem et ptinentem: Ac etiam totam illam grovam bosci nostram contin. p estim. tres rodas cum ptinencijs in Penwortham predict. adiacentem dicto Scitui dicti nuper Prioratus sive Celle de Penwortham, ac eidem nuper Prioratui sive Celle dudum spectantem et ptinentem, ac totam terram et solum eiusdem grove bosci: Necnon omnes et omnimodos boscos et subboscos de et in premissis supius p nos p presentes datis et concessis, aut de et in aliqua eorundem crescentes et existentes. Necnon damus et p presentes concedimus prefato Johanni ffletewoode advocationem, donationem, liberam dispositionem, et jus patronatus rectorie et ecclesie parochialis de Northe Meles in dicto comitatu nostro Lancastrensi ac advocationem, donacionem, liberam dispositionem et jus patronatus Vicarie Ecclesie parochialis de Leylond in eodem comitatu nostro Lancastrensi. Damus eciam et p presentes concedimus prefato Johanni ffletewoode omnia et singula premissa supius p presentes, ut prefertur, data et concessa, adeo plene et integre ac in tam amplis modo et forma put ultimus Abbas et nup conventus dicti nup monasterij de Evesham aut aliquis vel aliqui predecessorum suorum in jure nup monasterij illius aliquo tempore ante dissolutionem eiusdem nuper monasterij vel antequam nup monasterium illud ad manus nostras devenit predictos domum et scitum dicti nup Prioratus, sive Celle, aut manerij, vel grangie de Penwortham, ac predicta terras, tenementa, prata, pascua, pastura, et cetera omnia et singula premissa superius p presentes p nos data et concessa, aut aliquam inde parcellam habuerunt, tenuerunt, vel gavisi fuerunt, habuit, tenuit, vel gavisus fuit, seu habere, tenere, vel gaudere debuerunt aut debuit: Et adeo plene et integre ac in tam amplis modo et forma put ea omnia et singula ad manus nostras ratione vel pretextu dissolucionis dicti nup monasterij de Evesham, aut ratione vel pretextu alicuius carte, doni, concessionis, vel confirmacionis p dictum ultimum Abbatem et nup conventum nup monas-

terij de Evesham sub sigillo suo conventuali nobis confecta, aut ratione vel pretextu alicuius actus Parliamenti vel aliter quocunque modo devenerunt seu devenere debuerunt ac in manib3 nostris jam existunt, seu existere debent vel deberunt. Damus eciam et p̄ consideracione predicta p̄ presentes concedimus prefato Johanni ffletewoode infra predicta mesuagia, terras, tenementa, prata, pastura, et cetera omnia et singula premissa superius expressa et specificata, ac p̄ presentes data et concessa, et infra quamlibet eorundem parcellam, tot, tanta, eadem huiusmodi, et curias lete visus franci plegij, ac asisam panis, vini et cervicie; necnon catalla wauiata, extrahuras, catalla felonium et fugitivorum, liberas warenas, ac omnia alia p̄ficua, commoditates, et emolumenta quecunque, quot, quanta, qualia, et que, ac adeo plene et integre, ac in tam amplis et consimilib3 modo et forma, p̄ut dictus ultimus Abbas et nup̄ conventus dicti nuper monasterij de Evesham aut aliquis vel aliqui predecessorum suorum in jure nup̄ monasterij illius aliquo tempore ante dissolucionem ejusdem nup̄ monasterij vel antequam nup̄ monasterium illud ad manus nostras devenit, habuerunt, tenuerunt, vel gavisi fuerunt, habuit, tenuit, vel gavisus fuit, seu habere, tenere, vel gaudere debuerunt, aut debuit, in predictis mesuagijs, terris, tenementis, pratis, pasturis, et ceteris premissis supius p̄ presentes p̄ nos datis et concessis, vel in aliqua eorundem parcella, ratione vel pretextu alicuius carte, doni, concessionis, vel confirmacionis, aut aliquarum literarum patentium p̄ nos seu p̄ aliquem p̄genitorum nostrorum, Regum Anglie, prefato ultimo Abbati et nuper conventui dicti nup̄ monasterij de Evesham, seu alicui vel aliquib3 predecessorum suorum quoquo modo factorum vel concessorum, seu confirmatorum, aut ratione vel pretextu alicuius prescriptionis vel consuetudinis antehac habite vel usitate, vel aliter quocunque modo. Damus alterius et p̄ consideratione predicta p̄ presentes concedimus prefato Johanni ffletewoode et Katarine uxori eius, reuersionem et reversiones predicti manerij de Caldewyche, et dicte rectorie de Elaston cum omnib3 et singulis eorum jurib3, &c. in dicto comitatu Stafford. dicto nuper monasterio de Merton in dicto com. nostro Surrey dudum spectantib3 &c. Habend. tenend. et gaudend. predictam reversionem et reversiones predictorum domus et

scitus dicti nup prioratus, sive celle, vel manerij, aut grangie de Penwortham, ut prefertur, et cetera omnia et singula premissa in dicto comitatu Lancastrensi, necnon predictas domum et scitum dicti nup Prioratus sive celle vel manerij, sive grangie de Penwortham, ac predicta mesuagia, terras, tenementa, prata, communas, boscos, redditus, servicia, curias lete, visus franci plegij, catalla wauiata, extrahuras, liberas warrenas et cetera omnia et singula premissa in dicto comitatu nostro Lancastrie supius p nos ut prefertur data et concessa cum suis ptinentijs universis prefato Johanni ffletewoode heredib3 et assignatis suis imppetuum. Tenenda de nobis et heredib3 et successorib3 nostris in capite p servicium vicesime partis unius feodi militis. Ac reddendo inde annuatim nobis heredib3 et successorib3 nostris novem solidos et novem denarios sterlingorum ad curiam nostram augmentacionum reuencionum corone nostre ad festum sancti Michaelis archangeli singulis annis solvend. p omnib3 redditib3 et demandis quib3cunque nobis heredib3 vel successorib3 nostris quoquo modo reddend., solvend. vel. faciend., habend. tenend. et gaudend. reversionem et reversiones predicti manerij de Caldewiche, ac predicte rectorie et ecclesie de Elaston, ac predictorum mesuagiorum, terrarum, tenementorum, et ceterorum premissorum in dicto comitatu de Stafford. prefato Johanni ffletewoode et Katerine uxori eius ac heredib3 et assignatis ipsius Johannis ffletewoode imppetuum. Tenend. de nobis heredib3 et successorib3 nostris in capite p servicium vicesime partis unius feodi militis. Ac reddendo inde annuatim nobis heredib3 et successorib3 nostris quatuor libras et sex solidos sterlingorum ad dictam curiam nostram augmentacionum reuencionum corone nostre ad dictum festum sancti Michaelis archangeli singulis annis solvend. Et ulterius de uberiori gracia nostra damus et p presentes concedimus prefato Johanni ffletewoode omnia exitus, redditus, reuenciones, et proficua predictorum maneriorum, mesuagiorum, rectoriarum, terrarum, tenementorum, et ceterorum omnium et singulorum premissorum supius specificatorum, ut prefertur, p presentes datorum et concessorum cum ptinencijs. Habend. eidem Johanni ffletewoode ex dono nostro absque compost. seu aliquo alio pinde nobis heredib3 vel successorib3 nostris quoquo modo

reddend., solvend., vel faciend. Et insuper de ampliori gratia nostra volumus p̄ presentes p̄ nobis heredib3 vel successorib3 nostris concedimus prefato Johanni ffletewoode et Katerine uxori eius ac heredib3 et assignatis ipsius Johannis ffletewoode, quod nos heredes et successores nostri imp̄petuum annuatim et de tempore in tempus acquietabimus, exonerabimus, et indempnes conservabimus eosdem Johannem ffletewoode et Katerinam uxorem eius ac heredes et assignatos ipsius Johannis ffletewoode versus nos heredes et successores nostros, et versus quoscunque alios p̄sonas de decem libris annuatim solvendis Radulpho Longford militi, durante vita ipsius Radulphi, de et ex predicto manerio de Caldewyche et predicta rectoria de Elaston ac preterquam de quadraginta sex solidis et octo denarijs annuatim solvendis Gilberto Sutton(1) ac heredib3 suis p̄ certis terris et tenementis in Penwortham predicta. Nolentes enim et p̄ presentes injungentes tam cancellario et consilio dicte curie Augmentationum revencionum Corone nostre p̄ tempore existente, quam omnib3 receptorib3 auditorib3, et alijs officiarijs et ministris nostris quib3cunque quod ipsi et eorum quilibet super solam demonstrationem harum literarum nostrarum patentium vel irrotulamenti inde absque aliquo alio brevi seu

(1) *Reprisis* Annua firma soluta — Gourside pro terra quondam Gilberti Sutton, qui quidem Gilbertus per indenturam suam sub sigillo suo datam 12° die Januarij anno d'ni millesimo cccciiij^{xx}j, et anno regni regis Edwardi quarti 21° concessit Willielmo Abbati monasterij beate Marie virginis et sancti Egwini de Evesham ac ejusdem Loci conventui omnia mesuagia, torras, tenementa, turbarias, moras, boscos, sepes, et fossata, redditus, et reversiones, et servicia sua cum omnibus et singulis suis pertinentijs quæ habet in villa et campis de Penwortham in comitatu Lancastrie, una domo cum quatuor selionibus terre jacente in le Whadysh in tenura Thome Smalwod tantummodo exceptis et reservatis. Habend. &c. pro termino cc. annorum extunc proxime sequenti et plenarie complend. Reddendo inde per annum prefato Gilberto Sutton heredibus et assignatis suis a festo Natalis D'ni et nativitatis sancti Johannis Baptiste ultra alia servicia domini Regis, et quibuscunque alijs servicijs servicia inde debita et de jure consueta &c. ut in eadem indentura inde ostensa plenius continetur. £2. 6. 8.

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Memor. the King must discharge the said Fletewodd of all incumbrances, except leases and except 46^{s} 8^{d} dewe yerely to Gilbert Sutton and his heires for certayn lands and tenements in Penwortham in the county of Lancaster.— *Transcript of Particulars.*

warranta a nobis heredib3 vel successorib3 nostris quoquo modo impetrandis seu ꝑsequendis sup solucionem dictorum sepalium annorum redditus supius ꝑ presentes nobis heredib3 et successorib3 nostris ut prefertur reservati plenam integram debitamque allocacionem defalcacionem deductionem et exoneracionem manifestam de omnib3 et omnimodi huiusmodi corrodijs, redditib3 feodis, pensionib3, porcionib3 et summis quib3cunque de predictis manerijs, mesuagijs, rectoria, terris, tenementis, et ceteris premissis ut prefertur solvend. vel sup eisdem onerat. seu onerand., facient, et de tempore in tempus fieri causabunt. Et hee litere nostre patentes erunt annuatim, et de tempore in tempus tam dicto cancellario et consilio nostro dicte curie nostre augmentationum reuencionum corone nostre ꝑ tempore existentib3 quam quib3cunque receptorib3, auditorib3 et alijs officiarijs et ministris nostris sufficiens warrantio et exoneracio in hac parte. Et ulterius de uberiori gracia nostra volumus ac auctoritate nostra regia qua fungimur ꝑ presentes ꝑ nobis heredib3 et successorib3 nostris concedimus prefato Johanni ffletewood et Katerine uxori eius ac heredib3 et assignatis ipsius Johannis ffletewood quod idem Johannes ffletewood de cetero imꝑpetuum habebunt dictam rectoriam et ecclesiam de Elaston, ac omnes et singulas, glebas, terras, decimas, et oblaciones quascunque eidem rectorie ut prefertur spectantes adeo plene prout dictus ultimus Prior dicti nuper monasterij de Merton et eiusdem Loci nup conventus aliquo tempore ante dissolucionem nup monasterij, aut antequam nup monasterium illud ad manus nostras devenerit habuerunt aut debuerunt habere. Volumus eciam et ꝑ presentes concedimus prefato Johanni ffletewood quod habeat has literas nostras patentes sub magno sigillo nostro Anglie debito modo factas et sigillatas absque fine seu feodo magno vel parvo nobis in hanapio nostro seu alibi ad usum nostrum ꝑinde quouismodo reddendo, solvendo, vel faciendo. Ea quod expressa mencio &c. In cuius rei &c. Teste Rege apud Westm. xxiiij. die Januarij anno regni Regis Henrici octavi xxxiiij.

Per breve de primato sigillo.

No. LXV. *Confirmation by Queen Elizabeth of the preceding grant of King Henry the Eighth of certain lands in Penwortham.*(1)

[WERDEN PAPERS.]

Elizabeth Regina: Omnibꝫ ad quos &c. salutem. Cum Philippus dudum Abbas nup monasterij de Evesham in com. Wygornensi, et eiusdem Loci conventus p eorum indenturam sub sigillo conventuali

(1) In the Werden MS. there is the following account of the deed in the text:

"An abstracte of all suche mannors, messuages, lands, tenements, and other hereditaments heretofore parcell of the priorie of Penwortham in the countie of Lanc. beinge a celle and p'cell of the possessions of the laite Abbeye and Monasterie of Evesham in the countie of Worcester, and which bee graunted unto John ffleetwoode esquier and his heires by the late queen Eliz. as appearethe by her Graces lres pattente to him thereof maide and bearinge daite the vjth daye of Julye in the vjth yeare of her reigne.

ffirste, the reversion and reversions of the mannor or graunge of Penwortham, with all and singular the rights, members, and appurtenances in the countie of Lancaster.

And also all and singular the messuages, howses, cottages, lands, tenements, meadowes, pastures, comons, waste, fishinge, turbaries, milnes, rents, seruices, hereditaments, proffits of courte leetes, view of franck pledge, and all other proffitts, commodities, and hereditamente whatsoever, laite p'cell of the temporall possessions and hereditaments whatsoever, to the said laite priorie, celle, mannor, and graunge apperteyninge, scituate, lyinge, or beinge in the townes, feilds, hambletts, and parishes of Penwortham, Middleforthe, Houghwicke, Longton, ffarington, Hutton, Le Haye, and Leylande, in the said countie of Lanc. or elsewhere, to the said Monasterie of Evesham in the countie of Worcester, laitelye dissolved, belonginge, or apperteyninge, and to the said John ffleetwood by Indenture before demysed.

And also that yearlie rent of xx^{li} xj^{s} iij^{d} beinge pcell of the rent of lxxxxix^{li} v^{s} iij^{d} reserved uppon the said Indenture of leasse heretofore maide to the said ffleetwood.

And also all that mannor or graunge of Penwortham in the said countie of Lancaster, laite p'cell of the possessions of the said Monasterie of Evesham.

And all and singular messuages, lands, tenements, milnes, &c. in the ffeilds and p'ishes of Penwortham, Middleforthe, Houghwicke, Longton, ffarington, Hutton, Le Haye, and Leyland, in the said countie or elsewhere, to the said Priorye, mannor, or graunge of Penwortham, in anye wyse apperteyninge as member or p'cell of the said Priorie.

And also all [court leetes] or view of franck pledge, and all which to viewe of franck pledge apperteynethe, an assize of bread, wyne, and aile, and also wayffes,

confectam gerentem dat. in domo sua capitulari vicesimo die ffebruarij anno regni charissimi patris nostri Henrici octavi nup regis Anglie tricesimo tradiderunt, concesserunt, et ad firmam dimiserunt Johanni ffletewood de Penwortham in comit. Lancastrie p nomen Johannis ffleetewood de London generosi totum illud dñium et manerium de Penwortham cum omnib3 et singulis suis ptinencijs in comitatu Lancastrie, ac omnia terras, tenementa, domos, horrea, stabula, edificia, molendina, campos, pasturas, prata, pascua, moras, mariscos, boscos, subboscos, servicia, curias lete, ac pficua, libertates, catalla waviata, exitus, fines, et amerciamenta, stagna, aquas, piscarias, warrenas, turbarias ac vasta cum omnib3 et singulis eorum ptinentijs in comitatu Lancastrie predicto dicto manerio quoquo modo spectantia vel ptinentia aut membra vel parcella eiusdem manerij sive dñij cognita reputata seu accepta existentia que dicti nup Abbas et nup conventus habuerunt, occupaverunt, aut gavisi fuerunt, ratione aut p nomen manerij sive dñij aut rectorie, grangie, sive firme de Penwortham predicte, aut eorum alicuius. Et predicti Abbas et conventus p Indenturam predictam tradiderunt, concesserunt, et ad firmam dimiserunt prefato Johanni ffletewood heredib3 et assignatis suis totam illam rectoriam suam de Penwortham predicta, ac rectoriam de Leilande in dicto comitatu Lancastrie, ac omnes et omni-

straye, felons' goods and of fugitives', warrens, and all other ryghtes, jurisdictions, and liberties within the said mannor of Penwortham, and the said messuages, lands, and tenements other whatsoever, as fullye, amplye, and largelye as anie Abbott of the said monasterie, or prior of the said priorie, before the tyme of their dissolucion hadd, all whiche doe extend to the yearlie value of xx^{li} xj^{s} iiij^{d} above all seruices and reprises.

Exceptinge to the Queene, her heires and successours, all belles and all leade in and uppon the premisses over and besydes the leades in the gutters and windowes of the premisses.

And also excepted all tythes, oblacons, and other hereditaments and emoluments spirituall, to the aforesaid rectories of Penwortham and Leyland belonginge and apperteyninge. And excepte also the foresaid seruices before recyted in the lettres pattente maid by Kinge H. the viij, and bearinge date the iiij daye of Januarie in the xxxiiij yeare of his reigne, to the said John Fleetwood.

All which the temporalities of the said Priorie granted to the said John Fleetwood as aforesaid are holden of the Queen in capite by the seruice of a xlth p'te of a knight's fee."

modas decimas, porciones, pensiones, ac omnes terras, glebas, domos, horrea, stabula, edificia, pascua, prata, boscos, subboscos, redditus, reversiones, et servicia, et alia hereditamenta tam spiritualia quam temporalia, cum omnib3 et singulis suis ptinencijs quib3cunque dictis rectoriis seu eorum alteri quoquo modo spectantib3 vel ptinentib3 jacentia seu existentia in parochia de Penwortham et Leiland seu in eorum altera, vel in aliqua alia villa hamelettis seu loco in predicto comitatu Lancastrie vel alibi in dicto comitatu Cestrie, que fuerunt cognita, reputata, seu accepta p aliqua parte parcella vel membro predictarum rectoriarum seu earum alterius aliquo tempore ante confectionem indenturarum predictarum. Excepta et omnino reservata predictis Abbati et conventui ac eorum successorib3 advocatione vicarie ecclesie de Leilande predicta, ac etiam advocatione rectorie de Meles in predicto comitatu Lanc. Habend. tenend. et gaudend. omnia et singula predicta manerium et dñium de Penwortham ac rectorias de Penwortham et Leilande ac omnia et singula redditus et premissa cum suis ptinentijs prefato Johanni ffletewood executorib3 et assignatis suis a festo sancti Michaelis archangeli ultimo preterito ante datum dictarum indenturarum usque ad finem et terminum nonaginta et novem annorum extunc proxime sequentium et plenarie complendorum. Reddendo et solvendo annuatim durante termino predicto prefatis Abbati et conventui ac eorum successorib3 nonaginta novem libras quinque solidos et tres denarios sterlingorum ad et in die festi sancti Martini episcopi in hieme ad unam solam et integram solucionem annuatim apud Evesham predictam put p eandem indenturam inter alia plene liquet. Quoque etiam prefatus pater noster p literas suas patentes sub magno sigillo suo Anglie gerentes dat. apud Westm. vicesimo quarto die Januarij anno regni sui tricesimo quarto inter alia dederit et concesserit prefato Johanni ffletewood reversionem et reversiones capitalis domus et scitus nup prioratus sive celle, vel manerij aut grangie de Penwortham in dicto comitatu nostro Lancastrensi dicto nuper monasterio de Evesham modo dissoluto spectantium ac omnium domorum columbarum, horreorum, stabulorum, curtilagiorum, gardinorum, stagnorum, vinariorum, et terrarum, tam infra quam extra scitum vel

precinctum eiusdem nuper Prioratus, sive celle, vel manerij, aut grangie de Penwortham existentium, necnon reversionem et reversiones totius clausi terre vocati le Orchardfeild continentis (&c. *as in the deed ante p.* 116). Habend., tenend., et gaudend. predictas reversionem et reversiones predicti domus &c. necnon predictas domum et scitum &c. inter alia prefato Johanni ffletewood heredib3 et assignatis suis imppetuum. Tenend. de dicto patre nostro heredib3 et successorib3 suis in capite p servicium vicesime partis unius feodi militis. Ac reddendo inde annuatim dicto patri nostri heredib3 et successorib3 suis novem solidos ac novem denarios sterlingorum ad festum sancti Michaelis archangeli annuatim solvend. put p easdem literas patentes inter alia plene liquet et apparet. Sciatis quod Nos p summa sexcentarum sexdecim librarum septemdecim solidorum et sex denariorum legalis monete Anglie ad manus Thome Gardiner armigeri unius ministrorum nostrorum scaccarij nostri ad usum nostrum p prefatum Johannem ffletewood armigerum premanib3 bene et fideliter solut. unde fatemur nos plenarie fore satisfact. et p solut. eundem Johannem ffletewood heredes executores et administratores suos inde acquietatos et exoneratos esse p presentes de gratia nostra speciali ac ex certa scientia et mero motu nostris dedimus et concessimus ac per presentes damus et concedimus prefato Johanni ffletewood reversionem et reversiones predicti manerij, sive grangie, de Penwortham cum omnib3 et singulis suis jurib3 membris et ptinentijs universis in dicto comitatu nostro Lancastrensi, ac omnium et singnlorum mesuagiorum, domorum, cotagiorum, terrarum, pratorum, pascuorum, etiam vastorum, piscationum, turbariorum, molendinorum, reddituum, serviciorum, hereditamentorum, pficuorum, curiarum Lete, visuum franci plegij, ac omnium aliorum pficuorum, commoditatum, et emolumentorum quorumcunque nup parcell. temporalium possessionum et hereditamentorum dicti nup prioratus, sive celle, vel manerij, aut grangie de Penwortham existentium, scituatorum et jacentium in villis, campis, hamelettis et parochijs de Penwortham, Middleforth, Houghwicke, Longton, ffaryngton, Hotton, Le Hawe, et Leyland in dicto comitatu nostro Lancastrensi, et alibi ubicunque dicto nuper monasterio de Evesham in dicto comitatu

nostro Wygornensi modo dissoluto dudum spectantib3 et ptinentib3 ac prefato Johanni ffletewood p indenturam predictam inter alia ut prefertur dimissis. Ac etiam damus et p presentes concedimus prefato Johanni ffletewood viginti libras undecim solidos et tres denarios annuatim pcellam dicti redditus nonaginta novem librarum quinque solidorum et trium denariorum p predictam indenturam prefato Johanni ffletewood ut prefertur confect. reservat. Ac totum illud manerium sive grangiam de Penwortham in dicto comitatu nostro Lancastrensi, dudum parcellam possessionum dicti nup monasterij de Evesham in dicto comitatu nostro Wygornensi existen. Ac omnia et singula mesuagia, terras, tenementa, molendina, domos, edificia, tofta, cotagia, prata, pascua, pasturas, communias, vias, funda, turbarias, vasta, jampna, brueras, mariscos, aquas, rivos, piscarias, piscationes, flumina, stagna, gurgites, ripas, boscos, subboscos, redditus, reversiones, et servicia, redditus siccos, redditus tam liberorum quam custumariorum tenentium, ac cetera alia pficua, annuitates, annuales redditus, firmas feodi militum, warda, maritagia, escaeta, releuia, et herietas, necnon curias letas, visus franci plegij, bona et catalla felonum tam de se quam aliorum utlagatorum, ac bona et catalla fugitivorum, catalla waviata, ac omnia alia jura, jurisdictiones, privilegia, pficua, commoditates, emolumenta, possessiones, et hereditamenta nostra temporalia quecunque, cuiuscunque sunt generis, nature, seu speciei, aut quib3cunque nominib3 cognoscuntur, situat. jacent. et existent. in villis, campis, hamelettis et parochijs de Penwortham, Mydleforth, Houghwicke, Longton, ffarington, Hotton, Le Hawe, et Leilonde, in dicto comitatu nostro Lancastrensi, ac alibi ubicunque in eodem comitatu nostro Lancastrensi, ac alibi ubicunque dicto prioratui, manerio, seu grangie de Penwortham quoquo modo spectantib3 et ptinentib3 aut vel membra vel parcellam eiusdem Prioratus, celle, manerij sive grangie usitat., occupat. seu reputat. existent. dicto nup monasterio de Evesham in comitatu nostro Wygornensi dudum spectant. et ptinen. ac adeo plene et integre, ac in tam amplis modo et forma put ultimus Abbas et nup conventus dicti nup monasterij de Evesham, aut ultimus Prior nup dicti Prioratus sive celle de Penwortham predictum manerium de Pen-

wortham mesuagia, terras, tenementa, molendina, domos, edificia, et cetera omnia et singula premissa supius expressa habuerunt, tenuerunt, vel gavisi fuerunt, habuit, tenuit, vel gavisus fuit, seu habere, tenere, vel gaudere debuerunt aut debuit: Et adeo plene, libere, et integre, ac in tam amplis modo et forma, ꝑut ea omnia et singula ad manus nostras, seu ad manus predicti patris nostri, sive ad manus precharissimi fratris nostri Edwardi sexti nuper regis Anglie, vel ad manus precharissime sororis nostre Marie nup regine Anglie, racione vel pretextu dissolucionis dicti nuper monasterij de Evesham, aut ratione vel pretextu alicuius carte, doni, concessionis, vel confirmationis ꝑ dictum ultimum Abbatem et nup conventum dicti nup monasterij de Evesham sub sigillo conventuali confect. aut racione vel pretextu alicuius actus Parliamenti, vel aliter quocunque modo devenerunt seu devenire debuerunt, ac in manibꝫ nostris jam existunt seu existere debent vel debuerunt. Damus ulterius et ꝑ consideracione predicta ꝑ presentes concedimus prefato Johanni ffletewood infra predictum manerium de Penwortham, ac predicta mesuagia, terras, tenementa, ac cetera omnia et singula premissa in dicto comitatu Lancastrie et infra tot, tanta, talia, eadem, huiusmodi, et consimilia curias lete visus franci plegij, ac omnia ad visus franci plegij ꝑtinentia, et assisam, et assaiam panis, vini et cervisie, necnon catalla wauiata, extrahuras, catalla felonum et fugitivorum, liberas warrenas, ac omnia alia jura, jurisdictiones, et libertates quecunque, quod, quanta, qualia, et quas et adeo plene et integre, ac in tam amplis modo et forma ꝑut dictus ultimus Abbas et nup conventus dicti nup monasterij de Evesham vel dictus ultimus Prior de Penwortham, aut aliquis vel aliqui predecessorum suorum aliquo tempore ante dissolucionem dicti nup monasterij de Evesham habuerunt, tenuerunt, vel gavisi fuerunt, habuit, tenuit, vel gavisus fuit, aut habere, tenere, vel gaudere debuerunt vel debuit in predicto manerio de Penwortham, ac predictis mesuagijs, terris, tenementis, ac ceteris premissis, in Penwortham, Midleforthe, Houghwiche, Longton, ffarington, Hotton, Le Hawe, et Leilande, seu alibi in dicto comitatu Lancastrie vel in aliqua eorundem parcella, ratione vel pretextu alicuius carte, doni, concessionis vel confirmationis, aut aliquarum literarum paten-

tium p nos seu p aliquem pgenitorum nostrorum, Regum Anglie, prefatis ultimo Abbati et nup conventui dicti nup monasterij de Evesham, aut alicui vel aliquib3 predecessorum suorum quoquo modo facta vel concessa seu confirmata, aut ratione vel pretextu alicuius prescriptionis usus seu consuetudinis antehac habite seu usitate vel aliter quoquo modo. Que quidem premissa modo p presentes data et concessa in toto extendunt ad clarum annuum valorem viginti librarum, undecim solidorum, et trium denariorum, ultra omnia servicia et reprisas. Et exceptis tamen semp et nobis heredib3 et successorib3 nostris omnino reservatis omnib3 campanis, et toto plumbo de et in et sup premissis existentib3 preter plumbum in gutturis et fenestris eorundem premissorum. Ac etiam exceptis omnib3 et omnimodis decimis et oblationib3 ac ceteris hereditamentis et emolumentis spiritualib3 predictis rectorijs de Penwortham et Leilande ptinentib3 sive spectantib3; ac exceptis predictis servicijs superius in dictis literis patentib3 dicti patris nostri reservatis. Habend. tenend. et gaudend. predictas reversionem et reversiones dicti Prioratus, celle, manerij, sive grangie de Penwortham, ac omnium et singulorum predictorum mesuagiorum, terrarum, tenementorum, pratorum, pascuorum, pasturarum, communiarum, turbariarum, boscorum, et ceterorum premissorum in dicto comitatu nostro Lancastrensi; ac totum predictum manerium de Penwortham, ac omnia et singula predicta mesuagia, terras, tenementa, molendina, domos, edificia, tofta, cotagia, prata, pascua, pasturas, communias, vias, turbarias, vasta, jampna, brueras, mariscos, aquas, riuos, riuulos, piscarias, flumina, stagna, gurgites, ripas, boscos, subboscos, redditus, reversiones, et servicia, redditus, redditus siccos tam liberorum quam custumariorum tenentium redditus, et servicia sup quib3cunque dimissionib3 et concessionib3 reservatis reversionib3, ac cetera alia pficua, annuitates, annuales redditus, redditus firmarum feodorum, firmarum feodorum militum, warda, maritagia, escaeta, et releuia, necnon curias letas visus franci plegij, et omnia alia que ad visus franci plegij ptinent, bona et catalla felonum, tam de se quam aliorum utlegatorum, bona et catalla fugitivorum felonum, catalla waviata, extrahuras, liberas warrenas, ac cetera omnia et singula

premissa in dicto comitatu nostro Lancastrie (exceptis preexceptis) prefato Johanni ffletewood heredib3 et assignatis suis ad imppetuum, ad ꝑprium opus et usum ipsius Johannis ffletewood heredum et assignatorum suorum imppetuum. Tenend. de nobis, heredib3 et successorib3 nostris in capite ꝑ servicium quadragesime partis unius feodi militis ꝑ omnib3 redditib3, servicijs, et demandis quib3cunque ꝑinde nobis heredib3 et successorib3 nostris quoquo modo reddendis, soluendis, seu faciendis. Et ulterius et ampliori gracia nostra dedimus et concessimus ac ꝑ presentes damus et concedimus prefato Johanni ffletewoode omnia exitus, redditus, reversiones, et ꝑficua predictorum manerij, messuagiorum, terrarum, tenementorum et ceterorum omnium et singulorum premissorum supius specificatorum, ut prefertur, ꝑ presentes data et concessa cum ꝑtinencijs ac cuiuslibet inde parcelle a festo Annunciationis beate Marie virginis ultimo preterito hucusque crescentia. Habend. eidem Johanni ffletewoode ex dono nostro absque composto seu aliquo alio ꝑinde nobis heredib3 vel successorib3 nostris quoquo modo reddend. solvend. vel faciend. Et ulterius et ampliori gratia nostra volumus ac ꝑ presentes ꝑ nobis heredib3 et successorib3 nostris concedimus prefato Johanni ffletewood heredib3 et assignatis suis quod nos heredes et successores nostri imppetuum annuatim et de tempore in tempus exonerabimus acquietabimus et indempnes conservabimus tam prefatum Johannem ffletewoode heredes et assignatos suos quam predictum manerium, mesuagia, terras, tenementa, ac cetera omnia et singula premissa supius specificata, ac ꝑ presentes preconcessa, cum ꝑtinencijs et quamlibet inde parcellam (exceptis preexceptis) de omnib3 et omnimodis corrodijs, redditib3, feodis, annuitatib3, porcionib3, ac denariorum firmis de omnib3 quib3cunque premissis, seu de aliqua inde parcella solvend. vel super inde onerat. seu onerand. preterquam de servicijs supius per presentes reservatis, ac preterquam de dimissionib3 et concessionib3 ꝑ termino vite vel annorum, ac convencionib3 et condicionib3 in eisdem existentib3 et convencionib3 ac onerib3 que aliquis firmarius seu aliquifirmarij premissorum ratione aliquarum indenturarum et dimissionum suarum factarum tenet seu tenentur, et preterquam de predictis servicijs

p predictas literas patentes supius recitatas reservatis. Volentes enim p presentes firmiter iniungentes tam Thesaurio cancellario et Baronib3 scacarij nostri heredum et successorum nostrorum quam omnib3 Receptorib3, Auditorib3 et alijs officiarijs et ministris nostris heredum et successorum nostrorum quib3cunque p tempore existentib3 quod ipsi et eorum quilibet sup solam demonstracionem harum literarum nostrarum patentium vel irrotulamenti earundem absque aliquo alio brevi seu warranta a nobis heredib3 vel successorib3 nostris quoquo modo impetrandis seu psequendis plenam integram debitamque allocacionem et exoneracionem de omnib3 et omnimodis corrodijs, redditib3, feodis, annuitatib3 et denariorum summis et omnib3 quib3cunque (exceptis preexceptis) de premissis seu aliquo premissorum exeuntib3 seu solvendis vel supinde oneratis seu onerandis prefato Johanni ffletewode heredib3 et assignatis suis faciend. et de tempore in tempus fieri causabunt. Et quod litere nostre patentes vel irrotulamentum eorundem erunt annuatim, et de tempore in tempus, tam predictis Thesaurio Cancellario, et Baronib3 Scacarij nostri predicti heredum et successorum nostrorum quam omnib3 et singulis receptorib3, auditorib3, et alijs officiarijs et ministris nostris heredum et successorum nostrorum quib3cunque p tempore existentium sufficiens warrantum in hac parte. Volumus etiam ac p presentes concedimus prefato Johanni ffletewoode quod habeat has literas nostras patentes debito jure sigillatas absque fine in Hanaperio nostro seu alibi ad usum nostrum pinde reddend. Iu cuius rei &c. Teste Regine apud Westm. vj. die Julij (anno regni regine) Elizabethe sexto.

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